



1200 Wilmette Avenue
WILMETTE, ILLINOIS 60091-0040

**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 28, 2017.**

The Village President called the meeting to order at 7:30 p.m.

1.0 ROLL CALL

President

Bob Bielinski

Trustees

Daniel E. Sullivan, Jr.

Carol Ducommun

Julie Wolf

Cameron Krueger

Senta Plunkett

Absent:

Ted McKenna

Staff Present:

Timothy J. Frenzer, Village Manager

Michael Braiman, Assistant Village Manager

Michael Zimmermann, Corporation Counsel

Barbara Hirsch, Deputy Village Clerk

John Prejzner, Assistant Director of Administrative Services

Peter Skiles, Director of Administrative Services

John Adler, Director of Community Development

Lucas Sivertsen, Business Development Planner

2.0 PUBLIC COMMENT

3.0 CONSENT AGENDA

President Bielinski removed item 3.15 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 February 14, 2017.

LAND USE COMMITTEE CONSENT AGENDA

- 3.2 Presentation of minutes of the Appearance Review Commission meeting held January 9, 2017.
- 3.3 Presentation of minutes of the Zoning Board of Appeals meeting held January 4, 2017.
- 3.4 Presentation of minutes of the Zoning Board of Appeals meeting held January 18, 2017.
- 3.5 Approval of extension of Temporary Use Permit #2016-TU-1 to locate a construction trailer at 1006 Michigan Avenue from January 13, 2017 to July 31, 2017.
- 3.6 Approval of Temporary Use Permit #2017-TU-05 for the Plaza del Lago Craft Beer Festival, 1515 Sheridan Road to be held on Saturday, June 17, 2017 from 3:00 p.m. to 8:00 p.m.
- 3.7 Appointment of Land Use Committee as a Special Zoning Committee to review the Sign Ordinance.

FINANCE COMMITTEE CONSENT AGENDA

- 3.8 Presentation of the December 2016 Monthly Financial Report.

ADMINISTRATION COMMITTEE CONSENT AGENDA

- 3.9 Appointment of Nada Andric to the Appearance Review Commission from February 28, 2017 to February 28, 2022.
- 3.10 Reappointment of Phillip J. Liederbach to the Building Code Board of Appeal from March 1, 2017 to March 1, 2022.
- 3.11 Reappointment of Michael Venechuk to the Building Code Board of Appeal from March 1, 2017 to March 1, 2022.
- 3.12 Recommendation of appointment of Homa Ghaemi to the Plan Commission from March 14, 2017 to March 14, 2021.
- 3.13 Notice of vacancy on the Plan Commission due to the term expiration of Steven Schwab.
- 3.14 Presentation of minutes of the Administration Committee meeting held December 16, 2015.

MUNICIPAL SERVICES COMMITTEE CONSENT AGENDA

- 3.16** Approval of one year contract extension at an estimated cost of \$143,820 with Nels J. Johnson Tree Experts, Inc., Evanston, IL for tree removals.
- 3.17** Adoption of Resolution #2017-R-3 approving the plats of dedication for Locust Road between Wilmette Avenue and Lake Avenue.
- 3.18** Adoption of Resolution #2017-R-4 authorizing \$413,297 of local funds for the construction and inspection of the Skokie-Hibbard intersection improvement project.
- 3.19** Approval of contract in the amount not to exceed \$275,300 with Baxter & Woodman, Inc., Crystal Lake, IL for engineering services associated with the Public Works Yard Improvements.

PUBLIC SAFETY COMMITTEE CONSENT AGENDA

- 3.20** Approval of contract in the amount of \$48,938 with Air One Equipment, South Elgin, IL for the purchase of a new SCBA fill system.

JUDICIARY COMMITTEE CONSENT AGENDA

- 3.21** Presentation of minutes of the Judiciary Committee meeting held September 27, 2016.
- 3.22** Introduction of Ordinance #2017-O-13 increasing the number of Class A Liquor Licenses, Mather Place, 2801 Old Glenview Road.

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

4.0 REPORTS OF OFFICERS:

- 4.1** Recognition of Gary Kohn and Richard DeLeo for their service on the Plan Commission.

President Bielinski thanked Mr. Kohn and Mr. DeLeo for their service, summarized their accomplishments while on the Plan Commission and presented them with a certificate of appreciation.

- 4.2** Introduction of Nada Andric who is recommended for appointment to the Appearance Review Commission.

President Bielinski introduced Ms. Andric to the Village Board and recommended her appointment to the Appearance Review Commission.

4.3 Request for an Executive Session to discuss the performance and compensation of specific employees pursuant to Section 2 (c) (1) of the Illinois Open Meetings Act.

Timothy Frenzer, Village Manager, said for several years staff has been working to put in place a Citizen Request Management on the Village website. He asked Director of Administrative Services Peter Skiles and Assistant Director of Administrative Services John Prejzner to review the system

Mr. Skiles said in December of 2015 staff worked with the Administration Committee to update its information technology strategic plan. Several goals were identified in the plan, one of which was to improve customer accessibility and user experience. Specifically, staff set out to improve the Village's ability to respond to requests for services in a timely fashion and improve data gathering and reporting capabilities. In January of 2016, staff identified programs in support of that goal, specifically Tyler MUNIS Citizen Request Management and Work Orders Modules. Since April of 2016, staff has logged nearly 4,000 requests for service. Recently, a smart phone app and a Citizen Request Portal on the Village's website have become available.

Mr. Prejzner reviewed the smart phone app and the Citizen Request Portal through a power point presentation.

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 #2016-Z-42, 2411 Wilmette Avenue regarding a request for a 4.69' front yard setback variation, a 343.92 square foot (16.97%) front yard impervious surface coverage variation, and a variation to permit parking spaces in a required front yard to permit the construction of a two-car attached garage in accordance with the plans submitted.

Trustee Sullivan noted that there was a request from the applicant to table the request.

Trustee Sullivan moved to table item 6.11 to the March 28, 2017 Regular Village Board Meeting, seconded by Trustee Krueger. All voted aye, the motion carried.

6.2 FINANCE STANDING COMMITTEE REPORT
All items listed on the Consent Agenda

6.3 ADMINISTRATION STANDING COMMITTEE REPORT

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

Trustee Wolf moved to adopt Ordinance #2017-O-10 amending Chapter 5 of the Wilmette Code regulating the application and sale of coal tar sealant products, seconded by Trustee Krueger.

David Kanter said he is an attorney who represents a trade association called The Pavement Coating Technologies Council (PCTC). He has previously spoken and submitted written materials to the Village Board regarding his concerns with the proposed ordinance. He again noted that there has been no testing in Wilmette to prove that there is a problem with coal tar sealants. He urged the Village Board to reject the proposed ordinance.

Anne LeHuray, Ph.D, Executive Director of PCTC from Virginia, said she has submitted more material to the Village Board regarding the risk assessment of dust being tracked in to houses which was a concern to the Village Board. She also submitted more information regarding public health concerns, potential risk to creatures and the PAH issues.

President Bielinski asked for clarification of “margin of exposure” in one of the reports presented by Ms. LeHuray.

Ms. LeHuray said margin of exposure is how much exposure a human being reflects an equivalent exposure to a laboratory animal in an experimental situation.

President Bielinski noted that there were two different reports that referenced coal tar and their distillates toxicity from the Canadian Environmental Protection Agency (CEPA) and the report determined that they were a concern. He also noted that one of the reports stated that “the MOE’s associated with ingestion of house dust by children is considered potentially inadequate to protect these sub populations”. He believes that information is relevant but

wondered why Ms. LeHuray did not reference that information in her reports to the Village Board.

Ms. LeHuray said she does not believe that the draft report from CEPA supports the statement that “the MOE’s associated with ingestion of house dust by children is considered potentially inadequate to protect these sub populations”. She also noted that other authoritative bodies around the world would also not agree with the CEPA standard.

Trustee Ducommun noted that Ms. LeHuray and Mr. Kanter work for the Pavement Coating Technologies Council that is a trade association comprised primarily of manufacturers of coal tar sealants. She asked how long the organization has existed.

Ms. LeHuray said PCTC was formed in the 1990’s of manufacturers and suppliers of sealant products.

Trustee Ducommun said she has read that in the western part of the country, it is primarily the asphalt based product that is used and in the east and Midwest it is primarily the coal tar sealant product that is used. She said given that the risk of coal tar sealants is inconclusive, she would rather ban the use in the Village. It is her job as a Trustee to represent the residents and she has received hundreds of emails from residents supporting the proposed ordinance.

President Bielinski asked if there was anyone present to speak for or against the proposed ordinance.

William Hayes said he is the local union president for Koppers Industries represented by United Steel Workers. He said there are 70 members that work at Koppers Industries in Cicero, Illinois and depend on the coal tar industry to support their families. He asked the Village Board to consider these 70 families when voting on the proposed ordinance.

Jason Bakk said he is the plant manager for Koppers Industries in Cicero, Illinois. He said there are approximately 500 people that will be affected by banning coal tar sealants. He noted that the coal tar sealant products last twice as long as the asphalt based products.

Amanda Nugent, 500 Lake Avenue, said she has previously spoken about coal tar sealants and notes that not every study concludes that coal tar sealants are safe. She believes supporting the ban on coal tar sealants would be looking out for what is best

for the environment. She also noted other communities have a ban on coal tar sealants and many retail stores do not carry coal tar sealant products.

Amanda Ault, 218 Oak Circle, said she is also a member of Environmental and Energy Commission. She said there were many residents and scientists who helped draft the proposed ordinance. She thanked the Village Board for considering their report and ordinance.

Gail Thomason, League of Women Voters, thanked the Village Board and Environmental and Energy Commission's for its very deliberate, careful and systematic consideration of this issue over a number of months. They continue to urge the Village Board to adopt the proposed ordinance.

Jeff Lax, President of Gem Seal Pavement Products, said they are a manufacturer of coal tar and asphalt pavement sealers. He does not believe there is any history of cancer cases related to coal tar and the product has been around since the 1930's. He believes coal tar is a safe product and should not be banned.

Ms. LeHuray urged the Village Board not to vote on the proposed ordinance and see what happens on the State level and thanked the Village Board for listening to their presentation.

Trustee Wolf thanked everyone who came out to speak on the issue and also the League of Women Voters and the Environmental and Energy Commission. She is convinced that the preponderance of scientific evidence and the public sentiment is to approve the proposed ordinance banning coal tar sealants.

Trustee Krueger thanked everyone for advocating their positions on the proposed ordinance. He believes it is important to recognize that we do what we can as a community to regulate and be comfortable with issues. This is a good problem to address and he will support the proposed ordinance.

Trustee Plunkett said she has received overwhelming support for the proposed ordinance from the residents of Wilmette, the Wilmette League of Women Voters, Environmental and Energy Commission, and Go Green Wilmette. She will support the proposed ordinance.

Trustee Sullivan thanked the League of Women Voters for bringing the matter to the Village Board and all their work over the past months. He noted there were hundreds of emails supporting the ban on coal tar sealants and only two that did not support the ban. He supports his fellow Trustees and they should approve the proposed ordinance.

Trustee Ducommun said she concurs with her fellow Trustees and will support the proposed ordinance.

President Bielinski said the process for the proposed ordinance was a very involved, textbook process. He believes the science of the issue leans towards the conclusion that coal tar is something to be concerned about, in particular a community towards children. He will support the proposed ordinance.

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

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

All items listed on the Consent Agenda

6.7 REPORTS FROM SPECIAL COMMITTEES

7.0 NEW BUSINESS

No Report

8.0 MATTERS REFERRED TO STANDING COMMITTEES

8.1 Review text amendments to the Zoning Ordinance.

8.2 Review adding group homes for private school students as a permitted or special use in the residential zoning districts.

9.0 ADJOURNMENT

Trustee Krueger moved to adjourn to executive session at 9:07 p.m. to discuss the performance and compensation of specific employees pursuant to Section 2 (c) (1) of the Illinois Open Meetings Act, seconded by Trustee Plunkett.

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

The Village Board returned from the Executive Session at 10:15 p.m.

Trustee Krueger made a motion to adjourn the Village Board meeting at 10:16 p.m., seconded by Trustee Plunkett.

All voted aye, the motion carried.

Barbara L. Hirsch
Deputy Village Clerk