

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
REGULAR MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
AVAILABLE LIVE AT  
[WWW.LINCOLNWOODIL.ORG/LIVE-CABLE-CHANNEL/](http://WWW.LINCOLNWOODIL.ORG/LIVE-CABLE-CHANNEL/)  
FEBRUARY 1, 2022**

Before the start of the meeting the Village President read the following into the record: Pursuant to recently adopted amendments to the Illinois Open Meetings Act included in Public Act 101-640, public bodies may, in certain circumstances, hold entirely virtual public meetings without a quorum physically present in any one location.

On May 29, 2020, Governor Pritzker issued a Disaster Proclamation that declared in-person attendance at public meetings of more than ten people at the regular public meeting location to be infeasible, in accordance with the Open Meetings Act, as amended by Public Act 101-640.

On December 21, 2021, President Patel executed a written determination that given the on-going emergency associated with the COVID-19 pandemic, in-person meetings of the Village's Board of Trustees are not practical or prudent at this time and until further notice.

In accordance with the Governor's Disaster Proclamation and the Village President's Declaration of Emergency and Determination regarding meetings of the Villages Board of Trustees, I, Jesal Patel President of the Village board, do hereby determine that in-person meetings of the Village Board are not practical or prudent at this time and until further notice.

**Call to Order**

President Patel called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:50 P.M. Tuesday, February 1, 2022, in the Council Chambers of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

**Pledge to the Flag**

The Corporate Authorities and all persons in attendance stood and recited the Pledge of Allegiance, led by Trustee Craig Klatzco.

**Roll Call**

On roll call by Clerk Beryl Herman the following were:

Present: Mayor Patel, Trustees Saleem, Martel, Halevi, Herrera, Klatzco, Sargon.

A quorum was present.

Also present: Anne Marie Gaura, Village Manager, Karen Hawke, Parks and Recreation Director; Denise Joseph. Finance Director; Nadim Badran, Public Works Director; Present via Go To Meeting: Chuck Meyer, Assistant Village Manager; Steven Elrod, Village Attorney. Michael Colby, Stanley Consultants; Larry Thomas, Stanley Consultants.

The motion passed

**Warrant Approval**

Trustee Klatzco presented the warrants in the amount of \$721,887.94 and moved to approve the warrants. The motion was seconded by Trustee Sargon.

Upon roll call the results were:

AYES: Trustees Saleem, Martel, Halevi, Herrera, Sargon, Klatzco

NAYS: None

The motion passed

Trustee Sargon suggested that other Trustees review the warrants, Mayor Patel agreed to look at this suggestion.

### **President's Report**

In honor of Black History Month, President Patel read an excerpt of a speech from former President Barack Obama during a Black History Month event at the White House on February 18, 2016

President Patel wish a happy Lunar New Year to those in the community celebrating.

President Patel shared that Thursday, January 27 was International Holocaust Remembrance day, which is held on the same day of the liberation of the Auschwitz concentration camp. President Patel read an excerpt from Viktor E. Frankl's book, Man's Search for Meaning.

President Patel recognized the Parks and Recreation Department for awards they won at a statewide conference of Parks and Recreation Agencies. He shared that the Department's marketing efforts for the Turkey Trot and summer camps respectively earned first and second place by a panel of professional judges. .

President Patel shared that less than 50 tickets were issued during recent implementations of Alternate Side Parking and encouraged residents to keep up their efforts to help Public Works crews with the snow removal process.

President Patel encouraged residents of all ages to sign up and volunteer their time for the Rescue Rangers program. President Patel shared the program was set up to provide opportunities for residents to help their neighbors.

### **Village Trustees' Report**

Trustee Sargon shared that a Plan Commission meeting is happening tomorrow. She wish a Happy Lunar New Year to the community and read a passage about the significance of the year of the tiger. She also reported that she attended third shift roll call of Police Department staff and thanked them for all they do.

Trustee Halevi warned residents of recent sightings of coyotes and encouraged the community to express caution and to be extra mindful about the safety of their children and animals.

### **Village Clerk's Report**

Village Clerk Herman that Cook County will hold elections on June 28 and encouraged residents to ensure they are registered to vote.

### **Village Manager's Report**

Manager Gaura shared that Assistant to the Village Manager Jon Bogue is leaving the Village and thanked him for his contributions. He has made a great impact on the Village. She wished him luck as Assistant Village Manager in the Village of Flossmoor.

**Public Forum**

Kathleen De Armas spoke as an animal advocate and shared that a lot of exotic and unusual animals are available for adoption outside of for-profit settings. She encouraged those interested to buy from shelters instead.

Assistant Village Manager Charles Meyer read the following public comments submitted via email:

Hello and Good evening,

I am writing to you to express my deep concern for the wellbeing of Spur, the tortoise. Her enclosure is pathetically sad and I never see any water in this enclosure for her. Why is that?

Please do the right thing for HER and release her to a reputable sanctuary where her needs will be met.

All I ever see is a tortoise who paces and tries to climb out of this bathtub of an enclosure every chance she gets.

Be kind. Do the compassionate thing and give her the home she deserves.

Thank you.

Leslie Randall

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Please end live animal sales in Lincolnwood and put Spur the tortoise in a sanctuary and, in the meantime, give the poor animal adequate water. Thank you.

Bob Furem

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Dear elected officials,

Please ban the sale of live animals. Animals are not ours to put in a tank, or a cage, or to sell. Only because it's been legal so far doesn't make it right. Please be part of progress for the sake of the animals.

In regard to the Animal Store, please take action on behalf of Spur, the tortoise who is always without any food/water/stimulation in her enclosure. Please let her be taken care of by a reputable sanctuary.

Thank you for your consideration.

Felice Howard

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To whom it may concern,

It sickens me to believe all of the cruelty we have seen in our local suburbs to our animals in the past year. We have a coyote running around Glenview and Niles, missing a foot due to human trapping.

We have a coyote living in a very small inhumane pen, In Northbrook for educational purposes, that seems more like financial gain purposes. Now we have a tortoise in Lincolnwood, that any human being can see is not being kept in a humane or proper environment or being given proper health care.

This is 2022, we should be better than this!

Come on Lincolnwood, be the example setters! Put these animals first and stop the sale of them in your community!  
Stand up and protect the voiceless!

Sincerely,  
Jackie Barrett

=====  
Dear Lincolnwood Officials,  
Please make the humane decision to ban all animal sales in Lincolnwood And please require that Spur, the tortoise is released from her small barren enclosure to a sanctuary that can care for her properly.

Thankyou  
Karen Elger

=====  
Respected Lincolnwood officials -  
I was moved to tears seeing the video of Spur the tortoise desperately trying to climb out of her barren enclosure at a pet store, with not even water provided. This is animal cruelty and must not be supported by a civilized society. Please show compassion and ban the sale of live animals like Spur in such pet stores. This enslavement and unethical sale of live animals breaks our hearts and is completely unnecessary. Please arrange for Spur to retire to a wildlife sanctuary.

Thanks for your consideration,  
Sandy Jey

=====  
Please ban all animal sales in Lincolnwood.

Toby Powers

=====  
Please BAN all animal sales in Lincolnwood.

Thanks,  
Caesar Olesky

=====  
Will you please try your best to empathize with Spur who is in a prison-like setting. This is no life for her and she has done nothing to deserve this cruel kind of captivity. A sanctuary would provide her room and stimulation for a calm and stress-free life with nutritious food and water.

We would also ask that you stop all animal sales. Humane societies, shelters and rescues include any animal one would want and they work with adopters long term, not just at the short time of a sale at The Animal Store, to ensure the animal and people will be happy together.

The House Rabbit Society is a great place to contact for rabbits and can tell you of the numerous animals they have to rehome because of dumping caused by people who buy animals in pet stores not fully aware of the responsibilities involved.

Donald H. Kuehlthau  
Elizabeth C. Schuch

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Please do the right thing & send Spur to an environmentally suitable sanctuary where she can exercise more natural behavior. Pacing is a psychotic symptom & no animal should be denied the opportunity to behave and live as nature intended for the little benefit it offers humans. This is torment. Please free her!

Christine Grushas

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As a concerned citizen, I urge you to ban the sale of animals in Lincolnwood. I am concerned for the animals who are sold at The Animal Store, particularly Spur the tortoise who does not have the appropriate environment for his species and is often without any water.

Thank you for your time.  
Donna Marino

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To whom it may concern,

Please ban all animal sales.

Sincerely,  
Stephanie Curson

===

Dear Lincolnwood officials,

I was moved to tears of despair and anger when I watched the video of poor Spur the tortoise desperately trying to climb out of her barren enclosure at a pet store. Helpless, she was struggling to find water - the most basic of needs - because there was none provided in her tank. That animals are being treated so cruelly at a nearby pet store, in a village with such an excellent reputation, is appalling.

Please show compassion and ban the sale of live animals like Spur in such pet stores. This enslavement and sale of live animals is heartbreaking, infuriating, and completely unnecessary. Please allow Spur to be released to a caring wildlife sanctuary. There are so many who can help with this.

Thank you for your time,  
Kathleen De Armas

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Please ban all animal sales at the animal store, and release spur from his captivity and abuse.

Thank you  
Carol Albright

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Please ban ALL animal sales.

Until every animal is free,

Kyle Luzynski

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Please ban all animal sales.

Alberta Moore

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Please ban the sale of all live animals in Lincolnwood. This would force the owner of the Animal Store on Touhy to stop his practice of caging and selling domestic and wild animals and profiting from their suffering. Please stop by the store and see the overcrowding and inhumane treatment for yourselves. This store is a safety and health hazard and should never have been allowed to exist for so long. He is now selling kittens despite the hundreds of cats and kittens being euthanized in Illinois shelters. The owner clearly only cares about profit and not what is best for the animals.

Sincerely,  
Amanda Solon

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Dear Village of Lincolnwood,

Thank you very much for continuing to hold hearings and consider a ban on animal sales in the Village of Lincolnwood.

I visited The Animal Store over 20 years ago and expressed concerned to the owner about their animals sales and about Spur, the tortoise.

Since that visit, many pet stores have chosen to stop selling animals and instead promote adoption. I understand that The Animal Store does not buy kittens from official breeders but rather gets kittens from people in the community who have neglected to spay/neuter. I would suggest these community members get the help to spay/neuter their cats and that the Animal Store would instead become a satellite adoption location for a local rescue.

Thank you again for your attention to this important matter.  
Sincerely,  
Valerie J. Chalcraft

**Consent Agenda**

- 1. Approval of a Resolution to Perform Construction on State Highways in Accordance with State Specifications for a Period of Two Years**
- 2. Approval of an Ordinance Waiving Competitive Bidding and Authorizing an Agreement with Hot Shots, LLC. of Chicago, Illinois for Youth Sports Programming**

Trustee Sargon moved to approve the Consent Agenda as presented seconded by Trustee Herrera.

Upon Roll Call the results were:

AYES: Trustees Sargon, Klatzco, Herrera, Halevi, Martel, Saleem

NAYS: None

The motion passed

**Regular Business**

- 3. Consideration of an Ordinance Waiving Competitive Bidding and Authorizing an Agreement with Fabulous Freddie's, Inc. of Chicago, Illinois for Food Concessionaire Services**

This item was presented by Karen Hawk, Parks and Recreation Director.

Ms. Hawk shared that the concession stand at the aquatic center was operated by the department through the 2019 pool season. She shared that in 2020, the Department put out an RFP for a concession vendor but pool ended up not opening due to COVID-19. Ms. Hawk shared that 2021 was the first year with the new concessionaire, Freddie's, and customers were overall satisfied. Therefore, the Village is considering a long-term agreement with Freddie's. She shared that when Freddie's started, they brought up equipment concerns and shared the equipment should be updated because the current conditions negatively impacted the time to complete orders. Ms. Hawk presented a list of equipment to be replaced. She then shared that Freddie's submitted a list of replacement items which totaled to around 26K. Ms. Hawk shared that the equipment that is eventually procured has to be mutually agreed upon between the Village and Freddie's with the help of Public Works to ensure compatibility. Ms. Hawk shared financials for the stand from 2017-2021 which show relatively small net profits with the exception of 2019, which experienced a loss. Ms. Hawk shared that the proposed agreement includes an investment from Freddie's which prompted them to request a lower percentage of payment to the Village on gross sales. President Patel asked if flat or increased sales are being used for comparisons. Ms. Hawk said comparisons are to flat sales. She shared that Freddie's is looking for avenues to increase revenues and that discussions have been had pertaining to third party delivery vendors and potential sale of liquor at Proesel Park Summer Concerts and other sanctioned events. Ms. Hawk shared that it's staff's recommendation to approve an ordinance waiving competitive bidding and authorizing an agreement with Fabulous Freddie's Inc. for long-term concessionaire services at the Proesel Park Family Aquatic Center.

Trustee Klatzco asked whether or not the equipment at the concession stand is all electric. Ms. Hawk confirmed it is.

Trustee Klatzco then clarified that the percentage owed to the village will be on gross sales and Ms. Hawk confirmed it will be.

Trustee Klatzco then shared that he does not believe Freddie's should be purchasing the cheapest equipment.

Manager Gaura clarified that no equipment can be purchased that isn't approved by the Village and it is in the Village's interest to purchase quality and durable equipment.

Trustee Sargon asked for how long equipment warranties last. Ms. Hawk shared that she does not have the information on hand. Trustee Sargon expressed the importance due to the cost of investment and potential maintenance costs.

Trustee Klatzco asked if the Village will be responsible for maintaining the equipment and Ms. Hawk replied that the responsibility is on the concessionaire to maintain the equipment.

Trustee Sargon expressed concern that third party delivery services may cause significant issues for pool patrons and emergency vehicle access at the pool and encourages a proactive approach to prevent these issues.

Trustee Martel said the he believes the equipment to be purchased should be included in the contract with Freddie's. He asked why utilities don't appear to be the responsibility of the concessionaire and also expressed his opposition to Door Dash or other third party delivery services due to the extended lines and wait times.

Mayor Patel asked for clarification as to whether or not the intention of potential space for third party delivery drivers is in the form of parking spaces or loading zones. Ms. Hawk replied loading zone.

Mayor Patel asked the board if loading zones, as opposed to parking spaces, make a difference to their support for third party delivery services.

Both Trustee Sargon and Trustee Martel responded no, due to concern of how these services may impact pool patrons utilizing the concession stand.

Mayor Patel shared that he's viewing the situation through the lens of the Village acting as a landlord and asked if it is the Village's responsibility to be concerned over the restaurant's operations.

Trustee Sargon questioned the purpose of the concessionaire in the first place and shared her belief that it is to serve the residents and customers of the pool.

Mayor Patel expressed that he does not have a concern with third party delivery services and can see a benefit both for Freddie's and the Village to Freddie's increasing their volume and generating more sales. Trustee Martel shared that the area where the loading zones would be installed is not intended to support both pool parking and the flow of vehicles coming to pick up food. He shared that he does not believe the intention of the concessionaire should be to figure out how to make the most amount of money, but to serve pool patrons.

Trustee Saleem expressed surprise that utilities do not appear to be covered in the original agreement.

Mayor Patel asked if the concession area is sub-metered. Public Works Director Nadim Badran said he does not know and will get back to the Board with that information. Mayor Patel said metering should be considered for gas and electric while water can be estimated. Manager Gaura will look into what the process of sub metering entails for the concession stand and will report back to the board.

Trustee Halevi asked, if prohibiting the use of Door Dash would cause Freddie's to walk away. Ms. Hawk responded that she does not believe so and clarified that that Door Dash is not the only third party delivery vendor who would have access to a potential loading zone.



Mayor Patel and the board agreed to not allow third party delivery vendors in the first year to determine whether or not Freddie's can first meet the needs of pool and park patrons before expanding to the rest of the community. Mayor Patel expressed that this direction also applies to the sale of alcohol.

Trustee Sargon added that an itemized list of equipment to be replaced and purchased should be included in the contract entered between the Village and Freddie's. Mayor Patel concurred.

Trustee Sargon also sought clarification on the utility portion of the agreement.

Mayor Patel suggested that the Village pays utilities until the rented space is metered. Trustee Martel questioned if that is the correct approach. Mayor Patel replied that Freddie's has used the space before without using utilities and isn't concerned and that it will not be an issue in the short term until meters are installed.

Trustee Klatzco asked if the percentage on gross sales to the Village is being decreased from previous years and Ms. Hawk confirmed it is.

Trustee Klatzco also asked how long it will take for the savings from the lower percentage to pay for the investment of the equipment. Ms. Hawk responded that based off of current and flat estimates it may take up to seven years.

Mayor Patel added that the amount of time could be variable because the assumptions may not be factoring in higher sales or increased volume due to the procurement of properly functioning equipment.

Trustee Klatzco asked if there are any gas lines in the concession stand. Mr. Badran confirmed that there are.

Manager Gaura sought policy direction from the board on the allowance of liquor licenses and Mayor Patel and the board indicated they do not want to allow them during the first year but that they would like input from the Fire and Police Departments.

Mayor Patel summarized that the board wants itemized equipment for the contract, sub metered utilities, a prohibition on delivery services for one year, and a prohibition on alcohol sales for one year.

Village Attorney Elrod confirmed that it is the Board's desire that that action on this item be deferred until a later date.

#### **4. Continuation of a Discussion Concerning Review of Water Rate Analysis Report from the February 1, 2022 Committee of the Whole, if Necessary**

Public Works Director Nadim Badran recapped the discussion of the Committee of the Whole and stated that it was left off after the three options of the water rate analysis presented.

Michael Colby of Stanley Consultants continued his presentation by reviewing proposed rates under the three different options and walked the Board through a number of tables, charts and graphs. Trustee Sargon pointed out in one of the charts that there is a year anticipating a deficit and asked for an explanation. MC explained that the year in question anticipates a number of projects be completed which are valued at \$1.5 million and are intended to be paid from revenue and not a bond.

Mr. Colby then showed a year by year comparison of each proposal and noted that they are all designed to bring in approximately the same amount of revenue, but that each provides a different way of going about it. Finally, Mr. Colby shared next steps and things to be considered which involve incorporating comments from the board and staff, selecting a desired rate option, enacting a rate ordinance for a 3-5 year period, and an annual review to verify assumptions made within the study.

Trustee Klatzco shared that he thinks option one is easiest and that option two is more accurate and transparent. He shared that option two could ultimately lead to lower bills due to the focus on paying down of the debt service. He shared that he would like more information regarding option three.

Trustee Herrera expressed agreement with Trustee Klatzco regarding options one and two but said more information and discussion is likely needed.

Trustee Sargon thanked the consultants and staff for their presentation and said more time is needed to consider the options. She shared that she is leaning toward options one and two.

Trustee Martel reiterated that option one is the easiest to implement but believes options two and three are better structured. He stated that he does not prefer option one. He asked how option 3 works and questioned why certain large residential buildings don't charge per account. Mr. Badran responded that larger fees for larger meters lead to larger bills for most customers, but acknowledged that the obligation is not spread equitably spread throughout the community. Trustee Martel stated that he believes charges should be spread equitably across all households within the community.

Trustee Halevi shared that she likes option one due to ease and consistency but is supportive of incorporating some aspects of option two.

Trustee Saleem shared that he prefers option two as it fairly reflects revenue to expenses.

Trustee Klatzco questioned how metering will work at District 1860 and shared that he thinks having some sort of charge on meter size makes sense.

Mayor Patel summarized that equity is a concern among the Board and that assessments need to be made about how to justify areas of that rate structure that, in practice, won't be as equitable. He wondered aloud whether a fourth option can consider the number of residential units being served in multiunit buildings.

Mayor Patel asked why option one arrives at a higher water rate in year 10 than option two, even though option two has a higher annualized rate increase. Trustee Saleem provided a brief explanation but Mayor Patel said a discussion can ensue after the meeting.

Mr. Badran shared what staff has gathered from the discussion. He stated that there is not much interest in option three, the simplicity of option one is appreciated, but that option two is the most favored option. He shared that a focus will be made on how to proportionally charge commercial units and multiunit residential units as equitably as possible. He shared that staff intends to return to the Board with a second option.

Manager Gaura asked the Board if there are any different assumptions that they would like to be made for the next study. Trustee Martel posited lowering water rate inflation rate to 4%. He also wants to consider reducing the fund balance to see how that would impact rates. Mayor Patel concurred and

expressed he would like to see a revised option 2 that considers different fund balance levels. Trustee Klatzco expressed that he is not comfortable having a lower fund balance due to unexpected events.

Manager Gaura asked about the high rise fair share of the debt service and wants to ensure the board addresses it for staff. Mayor Patel stated that would be addressed in what the Board is suggesting for an altered option two.

Manager Gaura shared that staff will bring this issue before the Board again on February 15, for discussion.

**Adjournment to Closed Session**

At 9:45 P.M. Trustee Sargon moved to adjourn the Village Board Meeting to proceed to closed session to discuss employment matters per section 2(C)(1), seconded by Trustee Saleem

Upon Roll Call the results were:

Ayes: Trustees Saleem, Martel, Halevi, Herrera, Klatzco, Sargon

Nays: None

Motion Passed

**Adjournment**

At 11:25 P.M., Mayor Patel called for adjournment of the Regular Village Board meeting.

Trustee Halevi moved to adjourn, seconded by Trustee Martel.

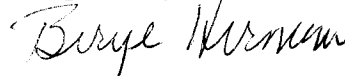
Upon Roll Call the results were:

AYES: Trustees Saleem, Martel, Halevi, Herrera, Sargon, Klatzco

NAYS: None

The motion passed

Respectfully submitted,



Beryl Herman  
Village Clerk.