

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
MEETING OF THE COMMITTEE OF THE WHOLE  
VILLAGE HALL COUNCIL CHAMBERS  
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FEBRUARY 15, 2022**

**DRAFT**

Before the call to order 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 Committee of the Whole Meeting of the Lincolnwood Board of Trustees to order at 6:02 P.M. Tuesday, February 15, 2022, in the Council Chambers of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

Upon roll call by Village Clerk Beryl Herman the following were:

Present: President Patel, Trustees Sargon, Klatzco, Herrera, Halevi, Saleem, Martel (remote).

Absent: None

A quorum was present.

Also present: Anne Marie Gaura, Village Manager; Jake Litz, Management Analyst; Matthew Pasquini, Management Analyst; Nadim Badran, Public Works Director; Scott Mangum, Community Development Director; Denise Joseph, Finance Director.

**Approval of Minutes**

The minutes of January 13, 2022 Committee of the Whole Capital Improvement Projects Workshop meeting and the February 1, 2022 Committee of the Whole meeting minutes were presented for approval.

Trustee Sargon moved to approve the minutes of the January 13, 2022 Committee of the Whole Capital Improvement Projects Workshop and the February 1, 2022 Committee of the Whole meeting minutes meeting, seconded by Trustee Klatzco.

Upon Roll Call the results were:

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

Nays: None

Minutes Approved

**Regular Business**

**1. Discussion Concerning Water Rate Study**

This Item was presented by Public Works Director, Nadim Badran and Finance Director, Denise Joseph.

Mr. Badran provided a brief background on the previous presentation regarding this topic. He stated the finding from that meeting was to consider adjusting the fixed fee structure to provide more equity between single-unit residential and multi-unit residential. The summary of the selected option of the Village Board was to execute an initial rate adjustment to decrease the water volume rate and increase the debt service rate to better reflect the distribution of expenditures for the Utility. After the initial adjustment, increase each rate by 3.95% each year through 2031. Presentation of modified this option will include six variations at different inflation rates and fund balance levels in addition to implementation of multi-family class fees. He then highlighted the differences between single family homes and multi-family homes. The goal of the different fees was to create equity for the user. He then presented a graph showing the Water and Sewer Fund Revenue & Balance with Existing Rates. He then presented the following alternatives: Original – 5% inflation and maintain fund balance, Alternative 2 – 4% inflation and maintain fund balance, Alternative 3 – 3% inflation and maintain fund balance, Alternative 4 – 5% inflation and reduce fund balance (\$3M), Alternative 5 – 4% inflation and reduce fund balance, Alternative 6 – 3% inflation and reduce fund balance. He then presented graphs of each alternative. Michael Colby from Stanley Consultants provided a more in-depth review of each alternative. Director Badran then presented staff's recommendation. He stated that staff recommends Alternative Three, as it includes a lower 3.55% annual increase to residents, while maintaining the fund balance and including the fewest number of negative revenue years.

Trustee Sargon asked about adjusting the inflation rate every year. Mr. Badran stated that every component of the study would be re-evaluated every year. Trustee Klatzco requested clarification of some items, which was provided. Trustee Martel stated that he was in favor of continuing with staff's recommendation. There was consensus amongst the Village Board to go forward with staff's recommendation.

**2. Discussion Concerning Regulation of Cook County Animal Sales as Prescribed Ordinance Look-Back**

This item was presented by Management Analyst, Matthew Pasquini.

He stated that on December 15, 2015 the Village Board passed an ordinance preempting a portion of the Cook County Code as it relates to the sale of commercially bred dogs, cats and rabbits. At the time of the Board action, it was intended to revisit the issue at a later date. He then provided a legislative history of the issue. Staff distributed a survey to membership of the Northwest Municipal Conference and researched communities throughout the Chicago metropolitan region. Most Cook County communities have not taken action since the County's ordinance passed. Over the past several months the Village has received a high volume of emails and public comment regarding the poor treatment of animals and the conditions of an African sulcata tortoise named Spur. Mr. Pasquini stated that Staff worked with the Illinois Department of Agriculture to investigate The Animal Store. Staff is working with the Village Attorney and Community Development Department to determine active violations of Village Code. The Policy question asked to the Village Board was if the Village Board desire to undo the exemption that was enacted in 2015?

The Mayor asked if there was public comment regarding this item specifically.

Ken Bearman, owner of the Animal Store, spoke about his businesses positive impact. He stated that the practices taking place at the store were ethical and fair. He highlighted some of the issues his business was having with the Cook County ordinance.

The following speakers also spoke via GoToMeeting and voiced their opposition to the practice of animal sales at the Animal Store:

Lorianne Kloss, Marcia Coburn, Patricia Cora, Nishi Shekar, Michelle Jorgensen, Jerry Kayne, Amanda Solon, Jodie Wiederkehr, and Toni Greetis.

Management Analyst Jake Litz read the following public comments submitted via email:

I am speaking up for Spur at The Animal Store in Lincolnwood. She needs room to roam and to be properly cared for. Please immediately release Spur to a reputable animal sanctuary.

Irene Sewell

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Please stop animal sales in your village.

Roseann Clevenger

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I'm emailing about this poor tortoise that is 70 pounds that people have had enough of. This tortoise has been stolen because people have had enough and this pet shop owner hasn't supplied the support for this animal that it needs. All that's given is excuses oh sometimes it doesn't drink for days or drinks nonstop. Well that's no excuse for no heat lamp and the things needed to make

a proper environment for this animal. This animal needs these things so that it will do things like drink and eat on a normal habit. Without these things this animal is not going to know what climate it is weather to sleep or to do whatever. It can shorten this animal's lifespan by years. We can't allow pet stores to have animals like this because they simply are not equipped to deal with their ongoing needs. They are hurting them it may not be on purpose but they are hurting them. I need you to step up and end the sales of these types of animals in the stores. This would help them. This tortoise needs a rescue and fast because it's not living right in this store. Please do what is right for these types of animals I know you care about them I appreciate you and all your hard work.

Barbara Smith

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I urge you to require that Spur, the tortoise, be sent to a reputable sanctuary that will meet her needs and allow her room to roam. Keeping her in these inhumane conditions are depressing to her and no way an animal should live!

Nicole Milan

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After hearing about the mistreatment of Spur the tortoise, I would like to ask you ban the sale of all animals in Lincolnwood. As long as animals are sold as commodities and pets, they will continue to be mistreated.

Jenn Sandoval

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Dear Lincolnwood Officials, Please make the humane decision to ban all animal sales. Please require that Spur, the Tortoise be released to a reputable sanctuary that can provide her the proper environment and care. Thank you.

Karen Elger

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I send this message urging the officials of Lincolnwood to Ban the Sale of ALL animals in your village. Compassion needs to take precedent over currency if we are to grow a sustainable, humane future for all. Thank you for this opportunity.

Therese Davis

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Please ban ALL animal sales.

Madhuri Pydisetty

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Officials of the Village of Lincolnwood. Please ban the sale of ALL animals in pet stores. The state of Illinois passed a ban on the sale of dogs and cats from commercial breeders last year due to the inhumane conditions and practices at commercial facilities called "puppy mills". Small mammals, birds, reptiles and fishes are also sourced from these places of intensive confinement and the sale of them promotes the illegal wildlife trade. The aforementioned groups of animals are scientifically proven to be sentient and feel pain. Therefore, they should be granted the same protections that we have given to dogs and cats. Please apply consistent protections for all sentient animals. Thank you.

Ardyn Cieslak

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Dear Lincolnwood City Council, I am writing you today in regards to your meeting tonight about The Animal Store. As someone who has worked in animal welfare and animal rescue for 30 years, I ask you to please ban the sale of animals in Lincolnwood. This business, The Animal Store, can flourish by other means but not at the expense of animal welfare. Right now, although I don't reside in your city, I can tell you that I am hearing numerous negative comments about this particular business. Please don't let this be a stain on your city's reputation. Thank you for your time and consideration."

Jamie Leinss-Doyle

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Please! Ban all animal sales.

Esmeralda Marquez

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The fact that in 2022 a pet store like The Animal Store exists is beyond me. In our society today it is all about rescuing, not selling animals for profit- especially species that are not meant to be domesticated. I do not understand a progressive community such as Lincolnwood allowing for this business to open. It is heartbreaking and disappointing.

Jane Lucius

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I recently became aware of The Animal Store's existence and upon further research, am extremely disappointed that Lincolnwood has allowed this business to remain open. Even browsing their social media and website leaves me heartbroken for these animals. I'm in shock that this is going on in this day and age. Please be compassionate towards these animals and shut down this business.

Caroline Lucius

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Now is the time to ban live animal sales in Lincolnwood and to free Spur the tortoise. Thank you kindly for your compassion and kindness!

Robert Furem

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Officials of the village of Lincolnwood. In the pet retail industry, it is very common to get animals from inhumane sources and dispose of animals that are not selling, since their main concern is profit. Hb1711 was recently passed to put an end to the puppy mill pipeline. The remaining species of animals sold in pet stores are in need of legislation that protects them as well.

Jonas Dornseifer

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Please please please ban all animal sales. Thank you.

Kiera Canciani

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I urge you to consider the animals that are used as commodities. They suffer in so many ways. Please ban all animal sales. Send Spur the tortoise to a reputable sanctuary where her needs can be met properly and she can roam freely.

Ruth Arnone

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It is cruel to sell Animals. Animals get neglected and abused like Spur she Is not kept well at the Animal store and she needs to be freed she doesn't have proper bedding she doesn't have food or water and doesn't have a heater when she needs it and the other Animals don't look happy, many Animals die when being transported to places where they sell animals and many get thrown away alive just for being different or because they don't have a proper way to keep them.

Samantha Martinez

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I have been to The Animal Store on Touhy with my daughter and I am so sorry for Spur and the other animals that do not get the proper care they need.

Helen Wiederkehr

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My name is Daniela Castillo. I am a licensed veterinarian in California and I have a Master's degree in Wildlife Conservation. I have experience as a wildlife rehabilitator and Director of a wildlife rehabilitation center. This is how I learned everything I know about wildlife and how it is so wrong to keep exotic or wild animals as companions. Currently I treat dogs and cats, I also help wild and exotic animals living in sanctuaries. I have 20 years of experience working with animals and I can say that "Pet Stores" do not fill the minimum requirements for keeping exotic animals or educating potential clients for what is necessary to keep and feed exotic animals in a house environment. Per veterinary medicine literature the main health problems in exotic animals are related to nutrition deficiencies, human related trauma, behavior issues from stress related to isolation and inadequate environment. It also contributes to illegal trade of wild animals worldwide. I urge you to please introduce and pass legislation to ban the sales of all animals and require that Spur, the sulcate tortoise, be released to a proper sanctuary. Thank you for your consideration.

Daniela Castillo

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Good evening. Tonight I'm once again urging the Village to pass legislation to ban the sale of all animals in Lincolnwood. Stores such as The Animal Store have a lot of animals that do not behave predictably in cages. Snakes, tarantulas, lizards, foxes, scorpions, opossums and the like should not be for sale. Wild animals belong in the wild, not in cages. Also there are plenty of reputable animal shelters in Chicagoland where one could adopt a dog, cat or rabbit. Regarding Spur, the tortoise- she needs to live out the rest of her natural life in a safe and nurturing environment where she has ample access to water, proper foliage and room to freely roam. Her shell needs medical attention by a veterinarian. All these things mentioned including a vet can be found at a sanctuary for wildlife like her. Please enhance the quality of her life by facilitating her transfer to such a sanctuary. Help make Lincolnwood a more responsible, progressive and humane community by banning the sale of all animals. Thank you.

Shaheena Ahmed

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Please close the loophole that is allowing The Animal Store to sell living beings under inhumane conditions. Please switch to adoption only practices for Lincolnwood.

Marla Rose

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Good evening. I'm writing to Voice my displeasure about Lincolnwood's animal sales. There are far too many animals being sold and later abandoned and I'm particularly upset about the giant turtle being displayed and never being cared for, because Lincolnwood doesn't have the resources to keep checking on this Turtles welfare, who I've seen frequently without water and food. It's nonsense. Thank you for taking the time to address this matter, Lincolnwood can be a progressive city by addressing this growing problem.

Henry Ortiz

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I am a concerned Chicagoland citizen voicing my concerns of the animal cruelty happening at the animal store as well as his lack of concern over following the law and selling sick animals to consumers. Please and thank you. Have a nice day.

Jane Hartford

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Ban animal sales.

Elizabeth C. Schuch and Donald H. Kuehlthau.

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Please ban all animal sales and fee Spur!

Daniel Gutiérrez

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Please do not allow animals to be sold at the place. The care of these animals is heartbreakingly sad. Please do right by the animals and not by the almighty dollar for a change.

Leslie Randall

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Mayor Patel announced that at this time Trustee Sargon and Clerk Herman had to leave the meeting in order to attend the School District 74 meeting.



Trustee Halevi stated she visited the Animal Store and had several questions about the types of animals being sold. She asked the Village Attorney if any of the animals being sold were illegal. Attorney Elrod stated staff was looking into this matter. Discussion on the sale of birds occurred.

Trustee Klatzco stated that with the State investigation taking place, he preferred to remain with the status quo. Trustee Martel stated he was impressed with the cleanliness of the store. He stated he was surprised by the ban from Cook County. He said he felt for the business being discussed. He concurred with Trustee Klatzco's comments to remain status quo. Mr. Bearman addressed several of the Boards' concerns. There was a consensus to continue this item at the March 15 meeting.

**Public Forum**

Adam Zats and Craig Moore spoke about a desire to open a cannabis dispensary in the Village of Lincolnwood. Adam Zats stated there was confusion regarding the licensing and application process at the state and municipal level. Mayor Patel requested that he two men speak with Village staff.

**Adjournment**

At 7:40 P.M. Trustee Herrera moved to adjourn the Committee of the Whole, seconded by Trustee Halevi.

Upon Roll Call the results were:

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

NAYS: None

Meeting Adjourned

Respectfully Submitted,



Beryl Herman  
Village Clerk