

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
FEBRUARY 21, 2023**

Call to Order

President Patel called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:37 P.M. Tuesday, February 21, 2023, 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

Trustee Klatzco led the pledge of allegiance.

Roll Call

On roll call by Village Clerk Beryl Herman, the following were:

Present: President Patel, Trustees Sargon, Herrera, Klatzco, Saleem, Halevi, Martel

Absent: None

A quorum was present.

Also present: Village Manager Anne Marie Gaura, Assistant Village Manager Charles Meyer, Finance Director Denise Joseph, Public Works Director Nadim Badran, Community Development Director Scott Mangum, Planning and Economic Development Manager Douglas Hammel, Fire Chief Barry Liss, Police Chief Jason Parrott, Parks and Recreation Director Karen Hawk, Management Analyst Elijah Beborra, and Village Attorney Steven Elrod.

Warrant Approval

Trustee Klatzco presented the warrants in the amount of \$1,278,315.37 and moved to approve. The motion was seconded by Trustee Sargon.

Upon roll call, the results were:

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

NAYS: None

The motion passed

President's Report

President Patel stated that for the months of January and February, we would be featuring in Village Hall the artwork of Lincolnwood resident Dale Wickum. The art show is titled "Following the Tracks." In 1974, 1979, and 1980, Dale rode the rails throughout the country, photographing the vanishing and reclusive culture of Railroad Tramps. Dale hopes he has

captured the essence of the outsiders who passed through life the hard way, overlooked and wary, and afforded them the dignity of being remembered for who they were: the last breed.

President Patel stated that Facility Rental Event Attendants are needed for the Community Center. The average length of a facility rental event is 5 hours, and many events occur at night or over the weekend. The primary duties of a Facility Attendant include greeting and assisting visitors/callers at the Community Center, assisting in the setup/takedown of recreational programs at the Community Center, securing the building, refilling general building supplies, and garbage removal when needed, and maintaining safe and courteous enforcement of policies, rules, and procedures at the Community Center during facility rentals and programs. If interested, please go to the Village website under Employment.

President Patel recognized February as Children's Dental Health Month. He stated that dental care is very important as it can affect our overall health, so it is necessary to start proper care of your teeth at an early age.

President Patel wished Trustee Saleem's daughter, Amina Saleem, a happy birthday. President Patel also wished his daughter Jillian a very happy birthday as well. President Patel congratulated Village Manager Anne Marie Gaura on her fourth year as the Village Manager.

President Patel stated that on February 6, a devastating earthquake impacted Turkey and Syria. The Doctors without Borders website is a great source of information to see what is occurring on the ground in Turkey and Syria. The organization is also a great place to donate to help those injured. Before donating to any site, go to charitynavigator.org. Their site lists the names of the high-performing charities you can donate to help with the recovery efforts.

President Patel requested a moment of silence for the over 40,000 people who lost their lives in the earthquake.

President Patel read and presented a Proclamation recognizing February 21 as Gerald C. Turry Day and the dedication of the Village Boardroom as the Gerald C. Turry Village Board Room.

Mayor Turry stated that he is thankful for the recognition. He stated that residents are in great hands for many years to come. He said he would miss his dear friends and those he spent time with while he served the Village of Lincolnwood. He thanked the Mayor, the Board of Trustees and the Village Manager for the honor.

Cook County Commissioner Justina Morita presented a Proclamation honoring former Mayor Turry.

Nancy Turry stated that she is thankful to everyone for the time Mayor Turry was a Mayor and Trustee.

President Patel recessed the meeting so that all could attend a reception in honor of Mayor Turry.

President Patel called the meeting back to order at 8:15 p.m. On Roll Call, all members of the Village Board were present.

Village Trustees' Report

Trustee Klatzco stated that he attended the Police Department active shooter training and was impressed with the professional quality and education the Police Department does to protect the community.

Trustee Diaz-Herrera stated that she wished her son Josh a happy 16th birthday. She stated that she would like residents to know that camp and pool registration is starting soon. Pool passes go on sale on March 1 for residents, and camp registration starts on March 6 for residents. She stated that there are a lot of employment opportunities in the Parks and Recreation Department and at the Aquatic Center.

Trustee Sargon stated that on Monday, February 27, there would be an Environmental Commission meeting at Village Hall at 7 pm. She stated that there is a special Plan Commission meeting tomorrow, February 22, at 7 pm.

Trustee Martel stated that there would be a special Zoning Board of Appeals meeting on February 23 at 7 pm at Village Hall.

Boards and Commissions Report

No reports.

Village Clerk's Report

No report.

Village Manager's Report

Village Manager Gaura stated that on Thursday, February 23, from 9 am – 2 pm, there will be work on Touhy Avenue between Lincoln Avenue and Kilpatrick Avenue. As part of this process, there will be instances where this work will impact three intersections. The intersections include Touhy Avenue and Lincoln Avenue, Touhy Avenue and Kilbourn Avenue, and Touhy Avenue at the Barclay. As part of this process, there will be temporary lane closures, and there will be instances of five to 10 minutes where each intersection will halt traffic while final challenges are completed for the traffic lights. A window for when each intersection will be impacted is 9:00 am – 9:15 am at Touhy and Lincoln Avenues, 10:15 am – 10:30 am at Touhy and Kilbourn Avenues, and 11:30 am – 11:45 am at Touhy Avenue and the Barclay. She stated that residents should consider alternative routes during the duration of the traffic light work.

She stated that the Community Development Department has developed a three-tiered approach to building permits to improve the efficiency and service level of the Building Permitting Process. The first tier consists of "Express" permits, which take approximately 24 hours to be

processed. If all documents are submitted, it will take 30 minutes or less to process for a customer at the Community Development counter. Examples of Express Permits include Air Conditioners, Roofs, Water Heaters, and Window and Door replacements. The second tier is a "Quick Turnaround" permit which consists of a 24–48-hour permit review period, with permits issued within seven days. Quick Turnaround Permits include driveways, patios, fences, electrical, wood decks, and sheds. The third tier is a "Standard" permit will take seven to ten working days for review, and a permit will be issued within 15 days. Standard Permits involve more substantial work, including new buildings, additions, signs, and tenant buildout. All information, including documents and handouts, can be found on the Village website. She urged residents to stop by the Community Development department for advice and assistance.

Village Manager Gaura Stated that Parks and Recreation Department is in the process of developing a Comprehensive Master Plan to determine and plan their top priorities for the next five years. To help in shaping that vision, a public meeting will be held on Thursday, March 2nd, at 7:00 PM, at the Village's Community Center (4170 Morse Avenue, Lincolnwood, IL). Doors will open at approximately 6:45 PM, and the meeting will begin promptly at 7:00 PM. All those interested in providing comments & feedback for this project are invited to attend and participate. Participation in this event will be in person only.

Public Forum

Buzz Alpert stated that he had seen a change in the Police Department with them being more patient and understanding. He thanked the Fire Department for their assistance with his wife. He spoke on Spur the Tortoise and the selling of wild animals in the Village.

Patricia Cora spoke on Spur the Tortoise and the sale of wild animals in the Village.

Consent Agenda

1. Approval of a Resolution Approving the Award of a Contract to Globe Construction Co, Inc., of Addison, Illinois, for the 2023 Sidewalk and Curb Replacement Program
2. Approval of an Ordinance Granting a Special Use for a Permanent Dermal Pigmentation Establishment at 4370 West Touhy Avenue
3. Approval of a Resolution Approving a Contract for Police Towing Services with Lin-Mar Towing & Recovery, of Morton Grove, Illinois

Trustee Sargon moved to approve Consent Agenda. The motion was seconded by Trustee Martel.

Upon Roll Call, the results were:

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

NAYS: None

The motion passed.

Regular Business

4. Consideration of an Ordinance Amending Section 3.13 of the Village of Lincolnwood Zoning Ordinance Regarding Special Fence Regulations

Planning and Economic Development Manager Doug Hammel stated Petitioner approached staff regarding the permissibility of security gates at their property. An initial interpretation was that gates must meet fence regulations. Petitioner submitted an application for a text Amendment to allow for policy discussion and a public hearing. When the topic was discussed at the Community of the Whole, the Board came to the following conclusions and recognized the appropriateness of security gates, though the specific need and design may vary based on factors related to a specific use or design. Trustees concurred that security gates should be recognized as separate from fences (in terms of zoning definitions and standards for approval). The nature of the subject use should be considered when determining the appropriateness of a request to install parking lot security gates. The specific parking patterns may impact the operations of a site or surrounding area.

The Plan Commission passed a motion (6-1 vote) recommending a Text Amendment with the following: Security gates would be identified as a permissible type of Special Fence; Security gates would be subject to Special Fence approval through the process overseen by the Zoning Board of Appeals; and The approval of security gates would be subject to a finding that they would create no adverse impacts on the subject property, surrounding properties, or adjacent rights-of-way. Section 3.13(25)b includes standards for the approval of Special fences Serve the public convenience, Be in harmony and scale, Not be injurious to the use and enjoyment of the surrounding properties, Will not impede the installation of fences on other properties, focus largely on identification or consideration of adverse impacts.

Mr. Hammel stated that staff is recommending the approval of an Ordinance amending the Village of Lincolnwood Zoning Ordinance regarding parking lot security gates.

Trustee Martel asked if the language covers most residential units.

Doug Hammel stated that since the requirements require a parking lot and most homes have driveways, it would not apply to most residences.

Trustee Martel stated that he is leaning towards special use versus a special fence. What is the difference between the two?

Village Attorney Steve Elrod responded that special use involves a broader zoning standard dealing with the area around the specific location. The other difference is which body of the village considers and makes a recommendation to the Village Board. Additional conditions the plan commission is recommending would limit the standards the ZBA could recommend in this particular case.

Trustee Martel stated his concern that examples provided by staff are tied to locations in other areas where location isn't required for parking. He stated that at the petitioner's property, parking would be closed off when there is or isn't an event. He asked how this aligns with special fence versus special use.

Village Attorney Elrod responded that the blocking of spaces could be considered as special use or a special fence. Both procedures are recommendations that come in front of the Village Board for a final decision.

President Patel stated that the Petitioner has identified issues and is requesting the Village Board for a change to the Village code to allow them to make their requested changes on the property. He stated that the Village Board is to look at the changes that the petitioner is proposing and how it affects the Village and the zoning code. He stated that this is the first petition where there would be control of access to the property for parking. He thinks the most appropriate direction would be a special fence because it would apply to a particular solution instead of a broad brush on the issue.

Trustee Sargon stated that the Village Board should opine on whether this matter should be allowed in the community. She stated that, in her opinion, she would not approve this for residential units.

Trustee Klatzco stated an issue is that there is no definition of a parking lot. He stated that he sees driveways with multiple vehicles parked, which in his opinion, constitutes a parking lot. He stated that without having restrictions anywhere in the Village, it would open up a can of worms.

Trustee Martel asked if we are discussing changing the ordinance globally.

Village Attorney Elrod responded that the ordinance in consideration would be global and not just for the petitioner's property.

Trustee Martel stated that the only difference he has heard between a special use and a special fence is that it is the Plan Commission versus the Zoning Board of Appeals.

Mr. Hammel stated that there are standards that are established in the fence portion of the Ordinance specifically related to special fences, which are designated to go to the Zoning Board of Appeals. By default, this category of improvement has its own standards, so it may make sense to have it stay in a particular scope which would keep it in the purview of the Zoning Board of Appeals.

Trustee Martel stated that he does not see the petitioner's request as a fence, and he thinks that the right questions are not being asked regarding a special fence versus a special use approval.

Trustee Klatzco asked if there is an ordinance that prohibits the blocking off of parking lots.

Doug Hammel stated that he would have to look at the Village Code to see if there is a provision that specifically states that it is prohibited.

Trustee Klatzco stated that he is concerned that if the Board approves the Petitioner's requests, similar parking lots will pop up all over the Village with people wanting gates.

Trustee Sargon stated that she is in favor of a revised set of standards that will disqualify this specific use in residential areas.

Motion by Trustee Sargon to approve the ordinance as recommended by the Plan Commission but to exclude residential districts and to add back the language regarding standards. Second by Trustee Diaz-Herrera.

Upon Roll Call, the Results were:

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

NAYS: None

The motion passed

5. Consideration of an Ordinance Amending Sections 8-7-13, 10-2-4, & 14-5-4 of the Municipal Code of Lincolnwood Regarding Various Village Application Requirements

Assistant Village Manager Charles Meyer stated that the Village seeks to implement new software for Land and License. Staff have been reviewing the Village Code and identified potential enhancements that may benefit stakeholders. The Village recommends considering changes that would remove the need for an affidavit and/or notarized signature for certain licenses, such as duplicate vehicle stickers, liquor licenses, and demolition permits or applications.

Trustee Sargon moved to approve the Ordinance. Trustee Martel seconded the motion.

Upon Roll Call, the Results were:

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

NAYS: None

The motion passed

6. Consideration of a Recommendation to Deny a Reasonable Accommodation Related to a Non-compliant Fence at 7336 North Kenneth Avenue.

The audio and video for this agenda item were turned off for this agenda item at the request of the applicant for privacy.

Planning and Economic Development Manager Doug Hammel stated that the subject property is at 7336 North Kenneth Avenue in the R3 Residential District. The property is next to other residential lots in the R3 district. The Petitioner installed a 6-foot tall "solid" fence enclosing the rear lot line and a 6-foot tall "solid" fence along the north interior lot line. Section 3.13(11) c: states that "open fences of all types allowed by this regulation not more than four feet in height are allowed in side yards." The fence installed by the Petitioner is unlawful under Village Codes.

At the January 2023 Plan Commission meeting, the Commission determined more information was needed to determine the request. The Commission requested that staff and the Village Attorney work with the Petitioner to provide the necessary information. At the February 2023 Plan Commission meeting, the Village Attorney provided a questionnaire to facilitate the provision of new information requested by the Plan Commission. The Petitioner stated she could not provide responses to some of the questions. The Plan Commission then asked if additional documentation could be provided. The Petitioner stated she could not provide additional information. The Plan Commission found that a connection between the impacted major life activities and requested relief was not established and recommended denial of the request.

Staff's recommendation is to concur with the Plan Commission's recommendation to deny a Reasonable Accommodation for a fence at 7336 North Kenneth Avenue.

Trustee Halevi moved to concur with the Plan Commission's recommendation to deny the special accommodation. Trustee Sargon seconded the motion.

Upon Roll Call, the Results were:

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

NAYS: None

The motion passed

Public Forum

Lauren Friend, Amanda Solon, and Jodie Weitiger spoke regarding Spur the Tortoise and in opposition to the sale of wild animals in the Village.

Closed Session

No closed session

Adjournment

At 9:53 P.M., President Patel called for adjournment of the Regular Village Board meeting.

Trustee Sargon moved to adjourn, seconded by Trustee Martel.

The meeting was adjourned by voice vote.

Respectfully submitted,



Beryl Herman
Village Clerk