

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
REGULAR MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
SEPTEMBER 5, 2017**

**Call to Order**

President Bass called the regular meeting of the Lincolnwood Board of Trustees to order at 7:30 PM, Tuesday, September 5, 2017, 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 recited the Pledge of Allegiance.

**Roll Call**

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

PRESENT: President Bass, Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope, Patel

ABSENT: None

A quorum was present. Also present: Timothy Wiberg, Village Manager; Ashley Engelmann, Assistant Village Manager; Heather McFarland, Management Analyst; Steven Elrod, Village Attorney; Charles Meyer, Assistant to the Village Manager; Steve McNellis, Director of Community Development; Andrew Letson, Public Works Director; Nadim Badran, Assistant to the Public Works Director; Doug Hammel, Community Development Manager.

**Warrant Approval**

President Bass presented the warrants for approval in the amount of \$741,165.85. Trustee Sugarman moved to approve, seconded by Trustee Cope.

Upon a Roll Call the results were:

AYES: Trustees Patel, Sugarman, Cope, Spino, Ikezoe-Halevi, Hlepas Nickell

NAYS: None

The motion passed.

**Village President's Report**

**1. Appointment of John Ernst to the Traffic Commission**

**2. Appointment of Rizwan Hussain to the Zoning Board of Appeals**

Trustee Hlepas Nickell moved to approve the two appointments, seconded by Trustee Ikezoe-Halevi.

The motion passed with a Voice Vote.

**3. Swearing in of Police Officers Robert Labuz and Dominic Massa**

Police Chief LaMantia spoke of the backgrounds of these new officers and Clerk Herman swore them in.

#### **4. 9-11 Ceremony**

On Monday, September 11, 2017, the Village and School District 74 will hold their annual memorial event for the victims of September 11<sup>th</sup>. Please join us at 8:30AM in the Village's Promenade as we honor those who gave their lives on that day.

#### **5. Ribbon Cutting Ceremony at UP Bike Path**

The Village is nearing completion of a new parking lot on the former Union Pacific right-of-way between Morse and Lunt Avenues. Users of the bike path, as well as employees and visitors of the neighboring businesses will benefit from the additional 116 parking spaces provided by the new lot. To celebrate the completion of the project, we will be hosting a ribbon cutting event on Friday, September 15<sup>th</sup> at 11 AM. Refreshments are provided and all are welcome to attend. We hope you will join us in celebrating the hard work that went into making this project a success.

#### **6. Reminder that school is now in session**

Please be careful driving through the school zones and past the bike trails.

#### **7. Trustee Ronald Cope**

Two weeks ago, Trustee Ronald Cope received an award in New York from the American Bar Association. Presenting the award was Ellen F. Rosenblum, Attorney General of Oregon and the Section Chair of the State and Local Government. Ron's Zoning and Land Use Handbook, is a best seller for the ABA. Congratulations Ron!

#### **8. Passing of Irv Fishman**

Irv Fishman passed away at the age of 86. He was the beloved husband of Beverly and the loving father of Ira (Sheryl) Fishman, Susan Fishman and Steve (Laurie) Fishman and grandfather of five, Allie, Mark, Leigh, Jason and Rachel, Brother of Lila Gardner.

Irv was the founder and first president of Kol Emeth Congregation in Skokie, Past President of the Fairview School Board, managing partner of McDermott, Will and Emery, Past President of the Jewish Vocational Services, Board Member and Consultant of the Glenview State Bank, Bryn Mawr Country Club Board Member, member of the Lincolnwood Sign Appearance Review Board and then was later appointed to the Lincolnwood Plan Commission in 2013 and served until January of this year.

#### **9. Herb Theisen Resignation**

Herb has been a lifelong resident of the Village and very giving of his time. Herb was appointed to the Plan Commission Zoning Board of Appeals (PC/ZBA) on June 3, 1986 by Mayor Frank Chulay. The PC/ZBA was split into two commissions in 2007. Herb was appointed in 2007 to serve on the Zoning Board of Appeals. In January 2014, Herb was appointed to be chairperson of the ZBA. After 31 years of service, Herb Theisen is stepping down from the ZBA. The Mayor and the rest of the Board and the Village are very grateful to Herb for all of his years of tireless service.

## **10. Secretary of State Jessie White Visit**

A special thank you to Secretary of State, Jesse White! Last Tuesday President Bass met with Secretary of State White about the future of Lincolnwood and how we can work together to enhance our library and other essential services in the Village. Secretary White's dynamism pervades every project that he gets behind, including MAAD, the driver's license organ donor program, voters registration via driver's license, municipal libraries, and of course his namesake tumblers. Thank you again, Secretary White, for taking time to meet with the Mayor and many members of the Village and Library staff. Everyone very much appreciated the opportunity to meet with you and to witness your dynamism first hand.

### **Consent Agenda**

- 1. Approval of a Recommendation by the Zoning Board of Appeals to Adopt an Ordinance Regarding Case #ZB-09-17 to Permit a Special Fence Along the Edens Expressway at 6489 North Longmeadow Avenue**
- 2. Approval of a Recommendation by the Zoning Board of Appeals Regarding Case #ZB-10-17 Permitting a Variation from the Zoning Code to Allow a Six-foot-Tall Semi-Private Wood Fence in the Side Yard at 6638 North Ramona Avenue**
- 3. Approval of an Ordinance Waiving the Competitive Bidding Process and Approving an Agreement with Christopher B. Burke Engineering, Ltd. in the Amount of \$103,000 for the Completion of a Water Transmission Main Route Study**
- 4. Approval of an Ordinance Amending Section 7-2-24 of the Village Code Regarding Parking of Commercial Vehicles**

Trustee Spino moved to approve the Consent Agenda as presented. The motion was seconded by Trustee Ikezoe-Halevi.

Upon Roll Call the Results were:

AYES: Trustees Hlepas Nickell, Ikezoe-Halevi, Spino, Cope, Sugarman, Patel

NAYS: None

The motion passed.

### **Regular Business**

- 5. Consideration of a Recommendation by the Plan Commission Case #PC-06-17 Granting Approval of Residential Units as a Special Use and Variations related to Building Setback, Drive Aisle Width, Off-Street Parking Capacity, Off-Street Parking Location, and Parking Lot Perimeter Landscaping at 6733-6735 North Lincoln Avenue**

The petitioner requested that this item be continued.

Trustee Patel moved to Table this item to a future meeting, second by Trustee Cope.

The motion passed with a Voice Vote.

**6. Consideration of a Recommendation by the Zoning Board of Appeals to Adopt an Ordinance in Case #ZB-08-17 to Permit the Increase in Permitted Building Coverage from 1,619-Square Feet to 1,664-Square Feet to Allow the Construction of a New Two-Car Garage at 6641 North Trumbull Avenue**

This item was presented by Mr. Hammel using PowerPoint.

Building Coverage Variation

Building Coverage in Excess of Permitted 35%

Existing Property

- \*Zoning: R3 Residential
  - \*1-Car Garage loaded from the rear alley
  - \*Lot area: 4,077 sf
  - \*Typical Permitted Bldg. Coverage: 1,427 sf (35%)
  - \*Permitted Bldg. Coverage based on 2009 Variation: 1,619 sf (39%)
  - \*Existing Bldg. Coverage: 1,567 sf (38.6%) – Primary Home – Existing 1-car garage
- A rendering of the proposed improvement was exhibited.

Requested Relief

Existing 1-car Garage	Proposed 2-car Garage
Total Building Coverage: 1,567sf (38.6%)	Total Building Coverage: 1,664sf (40.8%)
Permitted Bldg. Coverage: 1,619sf (39.7%)	Required Variation from 2009 Allowance: 45sf

Considerations

- \*Minimal impact on neighboring properties
- \*Proposed improvement does not impact existing trees
- \*Proposed improvement would be compliant with all other code requirements, including lot coverage
- \*ZBA has previously stated that they consider a 2-car garage a base standard.

No public comment was received prior to this hearing.

ZBA Discussion

- \*ZBA Hearing was held on August 16, 2017
  - Concerns that a true hardship had not been demonstrated
  - Discussion related to lack of on-street parking on the block
  - Approval of the Variation Request by a 3 – 1 vote

Requested Action

Approval of an Ordinance with a Variation to allow a total permitted building coverage of 1,664 sf (40.8%)

Two residents spoke against this proposal:  
German Bedoya and Shelley Solis

Discussion ensued. Mr. Hammel stated that this is a recurring issue in this area.

Trustee Cope opined that the Board should just focus on this one item and approve.

Trustee Cope moved to approve the Ordinance, seconded by Trustee Spino.

Upon Roll Call the Results were:

AYES: Trustees Cope, Spino, Patel, Sugarman, Ikezoe-Halevi, Hlepas Nickell

NAYS: None

The motion passed

**7. Consideration of a Recommendation by the Zoning Board of Appeals to Adopt an Ordinance Regarding Zoning Board of Appeals Case #ZB-07-17 Granting Variations Related to the Required Setback from the Front Façade and the Minimum Percent Openness of the Fences Located Parallel to and Along the Side Lot Lines at 6850 North Lowell Avenue**

This item was presented by Mr. Hammel using PowerPoint.

Fence Variation  
Front Façade Setback and Solid Fence

Recent Improvement

- \*Permit issued in 2015
- \*Included fence improvements along the side and front of the house
- \*Inspected in 2016
- \*Inspected in 2016
- \*Failed inspection due to setback and “non-open” design
- \*Inspected in 2016
- \*Failed inspection due to setback and “non-open” design

Petitioner Considerations

- \*Trash Bin Storage
  - Concrete stoop inhibits relocation of trash bins
  - Fence relocation could inhibit maneuverability
- \*External Utilities
  - Electrical conduit in south side yard
  - Water meter in north side yard

Public Comment

- \*Letter of support from Reese Gratch (6825 North Lowell Avenue)
- \*Letter of support from Joel Gratch (6825 North Lowell Avenue)
- \*Letter of support from Leah Brennan (6834 North Lowell Avenue)

ZBA Discussion

- \*ZBA Hearing opened on June 21, continued to August 16, 2017
  - Concerns regarding contractors doing non-compliant work then seeking variations
  - Discussion related to the location of utilities and stoop and how they may inhibit compliance

- Discussion about other work that would have to be done if full compliance is required.

**\*ZBA Decision:**

- Agreed that full compliance would require excessive work to be done
- Approved the modified request by a 3 – 1 Vote
  - +Variation from the front façade setback requirement
  - +Variation for the present openness for fences running along the side lot line
  - +Fences parallel to front façade must be modified to meet 50% open requirement

Requested Action

Approval of an Ordinance with Variations to allow an existing fence to remain in place that is:

- \*Constructed less than 3' from the front façade of the primary structure; and
  - ^Not consistent with the definition of an "open fence" along the side lot lines

A question was asked of Mr. Hammel regarding the frequency of these requests after the work was done. He stated that this is not common, as there are inspections during the work. In this case this was done before the inspection could be done, thus the Village is looking at the item again.

Trustee Patel moved to approve the Resolution, seconded by Trustee Sugarman.

Upon Roll Call the Results were:

AYES: Trustees Patel, Sugarman, Spino, Cope, Hlepas Nickell, Ikezoe-Halevi

NAYS: None

The motion passed.

**8. Consideration of an Ordinance Amending Chapter 4 of the Village Code Regarding the Appointment of Village Officials and Employees**

This item was presented by Attorney Elrod who provided background and information regarding the various forms of government.

The actual form of government cannot be changed without a referendum.

The proposed Ordinance can be undone by a subsequent Ordinance.

Attorney Elrod went over each category of responsibility and indicated where change would occur.

Trustee Hlepas Nickell moved to approve this Ordinance with an amendment regarding the approval of the Board for the president's decisions. Trustee Cope seconded.

The following residents addressed the Board:

Cliff Berman, Lynn Fienberg, Judy Abelson, Georgia Talaganis, Scott Weil, Leah Brennan, Jim Persino, Mark Yohanna, James Kuchinski, Charles Halevi, Craig Klatzco, Pam Lefkowitz, Susan Ginsburg, Laurie Mucha, Mike Joner, Gerald Turry, Caren Ex.

A discussion amongst the Trustees took place, with varying opinions expressed regarding this item.

The motion from Trustee Hlepas Nickell and the second from Trustee Cope remain on the floor.

Upon Roll Call the Results were:

AYES: Trustees Cope, Hlepas Nickell, Sugarman

NAYS: Trustees Spino, Ikezoe-Halevi, Patel

As the vote was a tie, President Bass broke the tie with an Aye vote.

The motion passed

**Manager's Report**

None

**Board and Commissions Report**

None

**Village Clerk's Report**

None

**Trustees Reports**

None

**Public Forum**

Resident Donald Gelfund addressed the Board regarding his removal from the Traffic Commission.

**Adjournment To Closed Session**

At 9:40 P.M. Mayor Bass requested a motion to adjourn the Village Board meeting to Closed Session for the purpose of discussing purchase or lease of real property per Section 2(c)(5) and employment matters per Section 2 (c)(1).

Trustee Sugarman moved to adjourn to Closed Session, seconded by Trustee Spino.

Upon Roll Call the Results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope, Patel

NAYS: None

The motion passed.

**Reconvention**

At 9:57 P.M. President Bass reconvened the Village Board meeting.

**Adjournment**

At 9:58 P.M. Trustee Sugarman moved to adjourn the meeting, seconded by Trustee Cope.

The motion passed with a Voice Vote

Respectfully Submitted,

A handwritten signature in cursive script that reads "Beryl Herman".

Beryl Herman

Village Clerk