



**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE MEETING
VILLAGE HALL COUNCIL CHAMBERS
6:30 P.M. JANUARY 2, 2018**

AGENDA

I) Call to Order

II) Roll Call

III) Approval of Minutes –

- 1) Committee of the Whole Stormwater Workshop – November 28, 2017
- 2) Committee of the Whole Meeting – December 5, 2017
- 3) Committee of the Whole Meeting – December 19, 2017

IV) Regular Business

- 1) Discussion Concerning Proposed Zoning Code Text Amendments (6:30 – 7:00 p.m.)
- 2) Discussion Concerning a Proposed Building Code Text Amendment (7:00 – 7:30 p.m.)

V) Public Comment

VI) Adjournment

DATE POSTED: December 29, 2017

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE
STORMWATER WORKSHOP
VILLAGE HALL COUNCIL CHAMBERS
NOVEMBER 28, 2017**

DRAFT

Call to Order

President Bass called the Committee of the Whole Stormwater Workshop meeting of the Lincolnwood Board of Trustees to order at 6:00 P.M., Tuesday, November 28, 2017, in the Council Chambers of the Municipal Complex, 6900 North Lincoln Avenue, Village of Lincolnwood, County of Cook and State of Illinois.

Roll Call

On roll call by Deputy Village Clerk Ashley Engelmann the following were:

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

ABSENT: None

A quorum was present. Also present: Timothy Wiberg, Village Manager, Ashley Engelmann, Assistant Village Manager; Jim Amelio, Village Engineer; Thomas Burke, Christopher B. Burke Engineering; Jeff Julkowski, Christopher B. Burke Engineering; Robert Merkel, Finance Director; Nadim Badran, Assistant to the Public Works Director; Chuck Meyer, Assistant to the Village Manager; Heather McFarland, Management Analyst; and Ben Harris, Accountant

Regular Business

Stormwater Workshop

Mr. Wiberg opened the meeting with introductions. He noted that the purpose of the meeting is to seek Village Board feedback on the next steps of the stormwater master plan. He asked the Board if there were any questions regarding the material that was distributed.

Trustee Patel asked for clarification regarding pg. 15 of the PowerPoint. He asked to confirm that for alternative 1 the cost of berms that is included is a Village-wide cost. Mr. Amelio confirmed that the cost estimate is Village-wide. He further asked why the price went from the original amount of \$5.6 million to almost \$7 million. Mr. Amelio and Mr. Letson explained the cost breakdown and variance are attributed to the length of time that has passed since the original estimate was completed as well as the cost of materials.

Trustee Patel asked if the Board wants to consider adjusting the target from a 10 year level of protection since the Board has many new members. Mayor Bass noted that the goal is still a 10 year level and that the purpose of tonight is to provide a summary of the process and give direction.

Mr. Wiberg made a presentation via PowerPoint. Mr. Wiberg provided an overview of the history of the development of the stormwater master plan. He noted that the Village currently has a 2-3 year level of protection. The Board's goal was to bring the Village up to a 10 year level of protection in 10 years. The stormwater master plan identified 10 projects which were ranked based on cost/benefit. It was noted that it is not feasible to separate the Village's sewer system completely as the cost would be approximately \$100 million.

Mr. Wiberg presented the recommended project priority list that was developed by AB&H. He noted that the priority list provides cost estimates that are in 2012 dollars, the numbers are also planning numbers. AB&H recommended street storage as the number one priority because it has the biggest impact on the Village. It was noted that there are many other projects that exist beyond project 1 and 2 on the engineer's recommended project priority list that have not yet been discussed.

Trustee Cope mentioned that a problem that came up during street storage discussions was that stormwater flows down to lower areas and could cause overland flooding problems. He noted that the blocks need to be individually engineered for street storage. Some homes may also need a unique solution. It was noted that the Village offers a grant program for residents who wish to install a flood control device.

Trustee Hlepas Nickell asked if the project priority list reflects work that was done on the Crawford Avenue storm sewer. Mr. Wiberg noted that the model was done prior to that work.

Trustee Patel discussed the April 18, 2013 storm event in which severe flooding occurred.

Mr. Wiberg provided a summary of the street storage pilot project which was installed in the fall of 2016 in the area bounded by Drake Avenue (west), Pratt Avenue (north), McCormick Blvd (east) and Arthur Avenue (south). He noted that this was Phase I of the pilot project. Phase II will include completion of berms and restrictors in the southeast corner of the Village as well as the installation of an outfall sewer on North Shore Avenue.

Mr. Julkowski discussed the street storage pilot project and the fact that the northeast corner of the pilot area has stormwater collection issues and reverse slope driveways that are prone to flooding. This area requires the installation of the outfall because larger storms had the potential to create a flood risk based on model results.

Mr. Letson provided a summary of the phase I project results. Since implementing street storage, the Village has received one complaint about the amount of water stored on the street which occurred during the July 12, 2017 storm. No reports of basement backups have been received. 16 total rain events have occurred with greater than one inch of rain. Village staff has observed

street storage during three events. The system has functioned as designed with minimal maintenance concerns. The next phase of the pilot project is ready to be implemented.

Trustee Sugarman asked if consideration was given when determining ponding depths to address streets without driveways where cars must be parked on the street.

Mayor Bass agreed that this could be a problem and that this should be addressed.

Mr. Julkowski continued to discuss the requirements to move forward with Phase II of the pilot program. Three outfall options were presented:

Option 1- Installation of a 60-inch storm sewer on North Shore Avenue from Drake Ave to the North Shore Channel with tributaries on Kimball Ave, Columbia Ave, and Spaulding Ave-Total Cost: \$3.55 million.

Option 2 - Installation of an 84-inch storm sewer on North Shore Ave from Drake Ave to the North Shore Channel with tributaries on Kimball Ave, Columbia Ave, and Spaulding Ave. This would allow for future expansion to the west-Total Cost: \$4.65 million.

Option 3 - Installation of an 84-inch storm sewer on North Shore Ave from the U.P. Bike Path to the North Shore Channel with tributaries on Kimball Ave, Columbia Ave, and Spaulding Ave. This would allow for future expansion to the west-Total Cost: \$6.25 million.

Mr. Julkowski presented the engineer's recommendation. Christopher B. Burke Engineering, Ltd. (CBBEL) recommends Option 1 due to the fact that it provides the greatest cost/benefit to the Village and continues to meet the goal of the stormwater management plan.

CBBEL's recommended next steps are as follows:

Complete the design of the North Shore Avenue Sewer using the parameters outlined in Option 1

- Design to be completed in 2018
- Seek funding participation from MWRD by the end of 2017

Begin design of the remainder of the street storage project, dividing the Village into two sections (Stage 2 and Stage 3).

Stage 2

- Design in 2018
- Construction in 2019

Stage 3

- Design in 2019
- Construction in 2020

Mr. Letson presented the anticipated schedule and project costs. The total program cost is estimated at \$11,445,000. This includes three projects to be completed between 2018 and 2020. It was noted that Metropolitan Water Reclamation District (MWRD) grant funding will be sought for 50% of the North Shore outfall sewer construction cost. If this were received the total project cost is anticipated to be reduced to \$9,820,000.

Mr. Letson provided a summary of available funding for the project.

The current sewer fee is \$1.00 per 1,000 gallons of water used. This generates approximately \$440,000 in annual revenue. \$110,000 of this is used each year for operation expenses, which leaves \$330,000 remaining for capital projects. There is currently \$820,000 in fund balance reserves. The current funds do not allow for a pay-as-you-go method. Staff is proposing a 20 year bond. This would require \$736,000 per year for debt service.

Additional possible funding sources include the following:

- Increase Sewer Fee
 - \$2.00 per 1,000 gallons (\$1.00 increase)
 - \$880,000 in total revenue (\$770,000 available for debt service)
- Fixed Capital Improvement Fee
 - \$44.00 per quarter
 - \$740,000 in additional revenue
- Stormwater Utility Fee
 - Based on impervious lot coverage
 - Rate would need to be determined, average of \$44.00 per quarter

Trustee Hlepas Nickell asked what the likelihood is that MWRD would fund the project. Mr. Burke noted that MWRD is interested in projects that reduce the burden on the storm sewer system. They also support stormwater only outfalls into the channel.

Mr. Letson noted that another possible funding mechanism would be to use the anticipated potable water savings from the purchase of water from Evanston as an option until 2025 to pay for some of the infrastructure.

Mr. Wiberg noted that if the current water rate were decreased then a capital line item would need to be added to the water bill to address infrastructure needs.

Mayor Bass noted that residents do have an expectation that if we buy water at a lower rate that we would decrease rates to residents.

Trustee Hlepas Nickell noted that our bills are very high and some reduction would need to occur.

Trustee Hlepas Nickell stated that we should consider looking at adding a stormwater utility fee for new properties.

Trustee Cope noted that he thought that previous conversations regarding Evanston included a discussion that we would provide a savings to our residents and not to use the money for capital projects.

Trustee Patel noted that we have discussed using it for capital projects during previous discussions.

Mayor Bass clarified that the discussion tonight is not to discuss the water rate to residents but to give direction regarding moving forward with the stormwater management plan.

Mr. Wiberg noted that in order to move forward CBBEL needs to finish the design of the outfall. Once the design is complete then a request will be made to MWRD for funding.

Trustee Cope asked if each street will be individually engineered. Mr. Letson confirmed they will be individually engineered.

Trustee Hlepas Nickell asked if the pilot area was chosen because it was the lowest lying area within the Village.

Mr. Wiberg clarified that it is one of the lowest lying areas but it was chosen because it represented 15% of the land area per the Ad Hoc Sewer Committee's recommendation.

Trustee Cope would prefer to see phase I be completed before we move forward with any additional projects.

At this time Mayor Bass took a poll of the Board regarding direction to provide to staff.

Consensus was to finish the pilot area, which would include construction of the remaining berms and restrictors and the outfall. This would require design for the outfall during FY 18/19. Direction was also given to design stage 2 of street storage during FY 18/19. Finally, direction was given to apply for grant funding from MWRD for the outfall.

Trustee Patel asked the engineers if they believe street storage is effective.

Mr. Burke stated that it is an effective means of temporarily storing stormwater.

Trustee Patel asked if the pilot project has been successful.

Mr. Burke stated that he believes it is successful.

Trustee Patel noted that we should not wait to continue with street storage throughout the rest of the Village since we have a successful project now.

Mayor Bass summarized the direction given to staff.

Trustee Hlepas Nickell asked what the community can do to help get the grant from MWRD. Mr. Burke will follow up with staff regarding the MWRD application and how Trustees can assist with reaching out to MWRD.

Trustee Hlepas Nickell asked what CBBEL's success rate has been with grant applications.

Mr. Burke responded that their success is about 50/50.

Adjournment

At 8:05 PM Trustee Patel moved to adjourn Committee of the Whole Stormwater Workshop, seconded by Trustee Cope. The motion passed with a Voice Vote.

Respectfully Submitted,

Ashley Engelmann
Deputy Village Clerk

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE MEETING
VILLAGE HALL COUNCIL CHAMBERS
DECEMBER 5, 2017**

[Draft](#)

Call to Order

President Bass called the Committee of the Whole meeting of the Lincolnwood Board of Trustees to order at 6:15 P.M., Tuesday, December 5, 2017, in the Council Chambers of the Municipal Complex, 6900 North Lincoln Avenue, Village of Lincolnwood, County of Cook and State of Illinois.

Roll Call

On roll call by Deputy Village Clerk Ashley Engelmann the following were:

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

ABSENT: None

A quorum was present. Also present: Timothy Wiberg, Village Manager, Ashley Engelmann, Assistant Village Manager; Mark Burkland, Village Attorney; Heather McFarland, Management Analyst; Charles Meyer, Assistant to the Village Manager; Ben Harris, Accountant; Robert Merkel, Finance Director; Andrew Letson, Public Works Director; Nadim Badran, Assistant to the Public Works Director; Robert LaMantia, Police Chief; Steve McNellis, Community Development Director; Doug Hammel, Development Manager.

Adjournment to Closed Session

President Bass requested a motion to adjourn to Closed Session. Trustee Hlepas Nickell moved to adjourn to Closed Session for the purpose of a discussion regarding Employment Matters per Section 2(c)(1). The motion was seconded by Trustee Cope.

Upon Roll Call the results were:

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

NAYS: None

The motion passed

Reconvention

President Bass reconvened the Village Board Meeting at 6:30 PM

Approval of Minutes

Minutes of the November 7, 2017 Committee of the Whole meeting were distributed in advance of the meeting and were examined.

Trustee Hlepas Nickell moved to approve the minutes as presented. Trustee Cope seconded the motion.

The motion passed with a Voice Vote.

Regular Business

1. Discussion Concerning the Beautification Taskforce

The item was presented by Mr. Wiberg using PowerPoint.

A representative of the Task Force, Mira Mazur, was in attendance and addressed the Board. Mr. Wiberg presented a history of the Beautification Commission through it's becoming a Task Force until the present.

Purpose of Discussion

*Receive direction from the Village Board as to the request of the Beautification Task Force to re-establish as a Commission.

Background

*The Village established the Beautification and Tree Commission in 1998.

^Purpose: to raise the appearance standards of public areas within the Village

^Scope of Duties:

- To hear and review all requests on matters involving beautification, promoting, preserving and enhancing the environment and physical appearance of the Village
- To advise and consult the Village Arborist on tree matters
- To advise the Village Board on beautification and tree matters
- To perform other duties as directed by the Village Board.

Charge of the Commission

*Broad scope of the Commission led to overlap during project review among recommending bodies

*Appearance based reviews are subjective in nature and led to disagreements relating to personal taste

- Beautification did not have codified standards for review. Such as the Plan Commission of Zoning Board of Appeals
- Lack of Review Standards created a delay during review of the Promenade design, in which 6 meetings were held from March 2011 to January 2012 to discuss the plans

Transition to Beautification Task Force

*Implementation of e-ticket service request system provided immediate access to staff for reporting maintenance concerns

- Eliminated need to wait for monthly to report redundant concerns such as weeding or watering requests

*October 23, 2013 – Beautification Commission Meeting

- Staff presented recommendation to transition the group to a Task Force
- The Commission did not present any objections to the recommendation and unanimously approved the recommendation

*November 19, 2013 – Village Board Meeting

- Village Board accepted the recommendation with all in favor and none against
- Members of the Commission were invited to the meeting, but did not attend

A current Board member has requested that this Task Force change status back a Commission. Mr. Wiberg stated that having seven people opining on what is beautiful is very difficult.

Mrs. Mazur and Trustee Hlepas Nickell addressed the Board in favor of the change.

Comparison of Duties

*Scope of duties has generally remained the same from switch to Task Force

- With the exception of tree advisory responsibilities , which was transferred to staff (The Task Force still currently plans the Arbor Day Planting

Key Issues

*What purpose will be served by converting the Task Force back to a Commission?

*What role does the Board want them to have?

*If they become a Commission again, what is their scope?

Village Board Direction

*Staff is seeking direction regarding whether the Board wants the status of the Beautification Task Force to remain, or to re-establish the Beautification Commission

2. Discussion Concerning Proposed Zoning Code Text Amendments

The item was presented by Mr. McNellis, using PowerPoint.

Proposed Zoning Text Amendments

Electronic Signs for Large Scale Developments

Temporary Signs – Special Event/Grand Opening

Temporary Sign Panels

Sign Location

Portable Sign Design

Electronic Signs for Large Scale Developments

19 Existing Regulations were exhibited

*Electronic message boards and animated signs specifically prohibited

*Prohibition enacted prior to widespread use of HD video message boards

Issues

- *Consider permissibility that would minimize proliferation
 - ^Minimum property size for eligibility
- *Appropriate restriction on physical size (square footage, height) to allow messaging to be effective
- *Limitation on permanent sign messaging with an electronic sign/video board

- *Regulate to minimize distracted drivers
 - ^Illumination level
 - ^Animation
 - ^Frequency of slide changes

Photos of electronic message boards for public and private uses were displayed

Recommendation

- *Permit electronic message board signs for properties five acres or greater in size
 - ^These are properties with unique physical characteristics or needs
 - 1) Large number of tenants in one location – Towncenter Mall, Purple Hotel site
 - 2) Significant Programming or Informational Needs – School District 74 Campus, Bryn Mawr Country Club

Considerations

- *Does a five acre threshold provide appropriate limitations and eliminate proliferation?
- *Should this sign type be limited to commercial areas?
- *Should this sign type be permitted to be bigger than a standard monument sign to adequately convey messaging?
- *Should animation be permitted? Should there be a limitation on the frequency of messages?
- *Should there be a limitation on static “permanent” items of information.

President Bass stated that he would like to see some of these options left open for future development.

Trustee Patel provided some history of sign codes.

Due to time constraints, this item will be sent to the Plan Commission and the other items will be brought to a future Committee of the Whole.

Approval of Minutes

President Bass requested approval of the November 21, 2017 Committee of the Whole Minutes.

Trustee Sugarman moved to approve, Trustee Ikezoe-Halevi seconded.

The motion passed with a Voice Vote.

Adjournment

At 7:30 PM Trustee Sugarman moved to adjourn Committee of the Whole, seconded by Trustee Ikezoe-Halevi.

The motion passed with a Voice Vote.

Respectfully Submitted,

Beryl Herman
Village Clerk

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE MEETING
VILLAGE HALL COUNCIL CHAMBERS
DECEMBER 19, 2017**

[Draft](#)

Call to Order

President Bass called the Committee of the Whole meeting of the Lincolnwood Board of Trustees to order at 6:15P.M., Tuesday, December 19, 2017, in the Council Chambers of the Municipal Complex, 6900 North Lincoln Avenue, Village of Lincolnwood, County of Cook and State of Illinois.

Roll Call

On roll call by Deputy Village Clerk Ashley Engelmann the following were:

PRESENT: President Bass, Trustees Ikezoe-Halevi, Hlepas Nickell, Patel, Spino,(Cope 6:25, Sugarman 6:40)

ABSENT: None

A quorum was present. Also present: Timothy Wiberg, Village Manager, Ashley Engelmann, Assistant Village Manager; Steven Elrod, Village Attorney; Heather McFarland, Management Analyst; Charles Meyer, Assistant to the Village Manager; Ben Harris, Accountant; Robert Merkel, Finance Director; Nadim Badran, Assistant to the Public Works Director; Bruce Rottner, Police Chief; Steve McNellis, Community Development Director; Doug Hammel, Development Manager.

Regular Business

1. Discussion Concerning the Potential Vacation of the Alley Behind 6424 Drake Avenue

The item was presented by Mr. McNellis using PowerPoint.

Residents (neighbors) of the area are in the audience.

The petitioner has requested an opportunity to address the Board regarding the vacation.

Attorney Steven Bauer, representing the petitioner joined in the discussion.

Attorney Elrod noted that in 1955 an Ordinance was adopted to vacate this alley. This Ordinance was never registered with Cook County. If nothing is done that Ordinance will remain on the books.

2. Discussion Concerning a Potential Village Board Workshop to Develop General Protocols

The item was presented by Mr. Wiberg.

A Board Member has requested scheduling a work shop.

These have been held in the past. Holland and Knight has presented. Mr. Elrod stated that this would be possible again.

Mr. Wiberg is able to find facilitators.

Consensus was Yes.

3. Discussion Concerning the Potential Scheduling of a Boards/Commission Member Dinner

The item was presented by Mr. Wiberg.

These dinners have been scheduled in the past. They were very well received.

Some discussion ensued regarding the activities involved in these dinners.

The cost in the past had been \$6,000 and when the recession came in it was decided to eliminate them. Trustee Hlepas Nickell suggested that sponsors could be found.

Consensus was to investigate and perhaps less money could be spent.

4. Discussion of Potential Budget Workshop Dates

The item was presented by Mr. Wiberg.

Mr. Wiberg offered the option of February 13 or 15.

The majority of the Board expressed the opinion that February 13 would be the best. At this time that date is tentatively scheduled.

Adjournment

At 7:25 PM Trustee Hlepas Nickell moved to adjourn Committee of the Whole, seconded by Trustee Cope. The motion passed with a Voice Vote.

Respectfully Submitted,

Beryl Herman
Village Clerk



MEMORANDUM

TO: President Bass and Members of the Village Board

FROM: Timothy C. Wiberg, Village Manager

DATE: December 29, 2017

SUBJECT: **January 2 Committee of the Whole Meeting**

As a reminder, the Committee of the Whole (COTW) meeting is scheduled for **6:30 p.m.** on Tuesday evening. Dinner will be available beginning at 5:45 p.m. in the Village Hall Board Conference Room. Please find below a summary of the items for discussion:

1) **Discussion Concerning Proposed Zoning Code Text Amendments (6:30 – 7:00 p.m.)**

As previously reported, staff is in the process of reviewing potential Zoning Code Text amendments which, if approved, would make development easier in the Village. [Attached](#) is a memorandum from the Community Development Director summarizing several proposed amendments and recommending they be referred to the Plan Commission.

2) **Discussion Concerning a Proposed Building Code Text Amendment (7:00 – 7:30 p.m.)**

Currently, the Village Code does not have a provision which allows staff to revoke the License of a problem contractor. The ability to revoke a License could be an important protection for our residents to ensure they do not inadvertently hire a contractor that could pose problems for their project. [Attached](#) is a memorandum from the Community Development Director summarizing this issue.

If you should have any questions concerning these matters, please feel free to contact me.



MEMORANDUM

TO: Timothy Wiberg, Village Manager
FROM: Steve McNellis, Community Development Director
DATE: January 2, 2018
SUBJECT: Proposed Zoning Code Text Amendments

This memorandum presents a continuing series of Zoning Code regulations that staff believes warrant discussion and amendment based on input from the Village Board, Plan Commission, and Economic Development Commission. The amendments for consideration in this memorandum aim to achieve the following objectives: 1) provide appropriate flexibility for commercial signage; and 2) expand opportunities for commercial businesses to promote their products and services.

For each issue, the memorandum describes the relevant regulations, the impetus for its review, relevant policy questions that can be discussed as part of the formal amendment and hearing process, and, where appropriate, potential regulatory solutions to be explored. The Code amendments recommended for consideration and referral include:

- Temporary Signs – Special Event/Grand Opening
- Temporary Sign Panels
- Sign Location
- Portable Sign Design

Temporary Signs – Special Event/Grand Opening

Zoning Code Section 11.04(8) (see Attachment #2) provides specific limitations on the number of events and number of days per event in which a “special event” temporary sign is permitted. Currently, that limitation is for two nonconsecutive events, for no more than 15 days per event.

There are no limitations on sign type, size, number, or location. This has led to some confusion internally as to whether or not any limitations can currently be set, as well as challenges for recurring events. As an example, if the mall proposed an artisanal market in their food court once a month, they would only be permitted to put a temporary sign or banner out to advertise the event two of every twelve months.

Staff is recommending that requirements for these types of temporary signs be better defined. More importantly, we are recommending that the permissible number of days per year be increased. The retail and commercial environment throughout the country is very challenging at the moment. Any business-friendly code revisions the Village can approve to show solidarity and support for these businesses would be well received. In addition, the Village's current regulations are perhaps too constrained, as evidenced by the fact that some businesses simply ignore Village regulations and install temporary signs without approval, while others leave signs installed beyond the permitted time frame. As such, staff recommends that the permissible number of days be increased to 60 days per year, with a minimum of five days per event. If adopted, this could permit up to twelve events per year (one per month). Staff is also recommending that there be limitations placed on the size of temporary signage and the number per lot as well as consideration given to the type/location of signs.

Relevant policy questions to be explored through the amendment process include the following:

- Should the number of days permitted for temporary signs on each property be increased? If so, what duration is acceptable?
- Should the number of events for which temporary signage is erected, be limited? If so, what is an acceptable number of events for which this signage could be posted?
- Should the type and number of temporary signs be defined and limited?
- Should the permissibility of temporary signs be expanded to allow a specific sale (i.e., "50-cent donuts today") rather than just permitting temporary signs for special events?

Temporary Sign Panels

Temporary signs that cover existing monument sign panels may be appropriate under certain circumstances. The Zoning Code currently does not permit existing monument signs to be covered with a material of a temporary nature that displays information other than that of the existing tenant. This is regulated primarily through a requirement that signs be designed "for permanence." In addition, temporary sign coverings/panels are not specifically noted in the Sign section of the Village Code as being permitted, which, by default, prohibits them. Cases in which such signage may be appropriate include:

1. New Tenant Identification
2. Properties For Sale/Lease

New tenant identification may be necessary when a company is rebranded, but still working on designing new permanent signs. It also could occur when a new company takes over an old space, and either remains open or opens shortly thereafter. In some cases, there may be lag time between opening/reopening and the new permanent sign being manufactured and installed.



Rebranded Bank



For-Lease Sign

With regard to leasing/for sale signs, providing an opportunity to “bag” the existing monument sign can provide positive aspects. Primarily, it removes the stigma of a blank or empty sign cabinet which can provide a perception that an area is declining. In addition, it reduces sign proliferation as the permanent monument sign becomes the leasing/for sale sign temporarily, providing a net reduction of signage (utilizing the existing monument signage as the leasing/for sale sign would preclude any other free-standing sign advertising the property). Finally, permitting the monument sign panel to be utilized as a real estate sign provides greater visibility, potentially resulting in an opportunity for a quicker real estate transaction. Ultimately, quick turnover of a vacant site to one with a new owner/tenant is in the Village’s best interest.

If permissibility of such signage is to be considered, it would be important to outline the acceptable parameters (how the sign is wrapped, permitted materials, etc.). Relevant policy questions to be explored throughout the amendment process include the following:

- Should existing monument sign panels be permitted to be wrapped for new tenant identification and/or leasing/for sale signs?
- If so, should there be a limitation on how the sign is wrapped and the permitted materials?
- What is the maximum time frame that would be permitted? Would it be different for temporary new tenant identification versus leasing/for sale signs?

Sign Location

The Village currently regulates the location of certain temporary and permanent signage in relation to a property line. Zoning Code Sections 11.04(1)(v) & 11.05(17)(ii)(1) (see Attachment #3) state that both Monument signs and Exempt Signs (i.e., Real Estate signs) are required to be set back a minimum of ten feet from the exterior property line. This can be a difficult setback to meet on the small commercial lots typically found throughout the Village. When a building footprint and required parking are designed for a site, there is often very little room remaining to locate a monument sign with a ten-foot setback.



Similarly, real estate signs cannot meet the ten-foot setback given the close proximity of parking areas to the street. Variations for the location of these types of signs are not uncommon. Both the recently-approved Stefani's restaurant and AT&T store required monument sign setback Variations given the proximity of the parking lot to the exterior property line. In addition, most of the real estate signs along Lincoln Avenue are on lots where a ten-foot setback would be virtually impossible.

Ultimately, it is in the Village's best interest to assist property owners in selling/leasing their buildings or tenant space. A more visible sign, within reason, is helpful to meet that goal.

Relevant policy questions to be explored throughout the amendment process include the following:

- Should the setback for permanent signage be reduced from the current ten-foot requirement? If so, is five feet acceptable? One foot? Or is any setback from a property line appropriate?
- Should the setback for real estate signs be reduced from the current ten-foot requirement? If so, is five feet acceptable? One foot? Or is any setback from a property line appropriate?

Portable Sign Design

Zoning Code section 11.05(24) (see Attachment #4) requires that portable signs (such as A-frame signs or sandwich boards) be professionally printed and not hand written. However, there are a number of portable sign designs available that consist of write-on dry-erase boards which permit businesses to write specials for the day. This provides the opportunity to immediately advertise a daily special, rather than waiting for a professionally-printed sign to be produced. Restaurants often use these dry-erase boards to advertise their daily specials, as do certain service industries, such as salons. This can provide businesses greater flexibility without the additional cost of having professionally-printed inserts for an A-frame or sandwich board.

Relevant policy questions to be explored throughout the amendment process include:

- Should professional printing of portable signs continue to be required?
- Should hand writing of portable signs be permitted under any circumstances (i.e., type of business, location of business, etc.)?



Changeable Copy Portable Signs

Professionally-Printed Portable Sign

RECOMMENDATION

Staff recommends the Village Board consider referring to the Plan Commission the following Text Amendments for a Public Hearing: temporary signs for special events/grand openings, temporary sign panels, sign location, and portable sign design.

Documents Attached

1. Current Regulations Related to Temporary Signs – Special Events
2. Current Regulations Related to Sign Location
3. Current Regulations Related to Portable Sign Design
4. Committee of the Whole PowerPoint Presentation

Attachment #1 - Temporary Signs - Special Events

11.04 Permitted on-premises signs

(8)

Special event/grand opening signs. The following temporary, special event signs shall be permitted on private property only for a total of two nonconsecutive events per year, but shall not be erected or maintained for a period exceeding 15 consecutive days per event, and must be removed if wind gusts exceed safety guidelines or design standards for the sign, or the standards for safety tie downs to or by which they are affixed or secured:

[Amended 10-1-2013 by Ord. No. 2013-3071]

i.

Pennant/streamer signs;

ii.

Temporary banner signs; and

iii.

Other temporary signs for special events not requiring a special sign permit, and as may be approved by the Zoning Officer.

Attachment #2 - Sign Location

Section 11.04 (1) Monument Signs

v.

Setback. No monument sign shall be located closer than 10 feet to an exterior property line, nor closer than 50 feet to an interior property line. For a monument sign constructed at a unified business center, under multiple ownerships, interior lot lines shall only pertain to the outermost lot line.

Section 11.05 Exempt Signs

(17)

Real estate sign: one sign used to offer for sale, lease or rent the land or buildings upon which the sign is located, in compliance with the following:

i. In residential district:

1.

A ground sign shall not exceed six square feet in area per side, five feet in height above finished grade and shall not be closer than five feet to any property line; or

2.

A wall sign shall not exceed six square feet in area and shall not exceed six feet in height from the finished floor elevation of any relevant space.

ii. In business and manufacturing districts:

1.

A ground sign shall not exceed 16 square feet in area per side for a property with 50 feet or less of lot frontage, or 32 square feet in area per side for a property with more than 50 feet of lot frontage. Ground signs shall not exceed six feet in height above finished grade and shall not be closer than 10 feet to any property line.

2.

A wall sign shall not exceed 16 square feet in area for a property with 50 feet or less of lot frontage, or 32 square feet in area per side for a property with more than 50 feet of lot frontage. Wall signs shall not exceed 20 feet in height above finished grade.

Attachment #3 -Portable Sign Design

Section 11.05 Exempt Signs

(24)

Portable signs. Portable signs, such as A-frame signs or sandwich boards, are permitted in front of business or commercial establishments on private property only, subject to the following limitations:

[Added 10-1-2013 by Ord. No. 2013-3071]

i.

Only one portable sign may be located along each frontage of a business establishment;

ii.

No portable sign may exceed four feet in height;

iii.

No portable sign may exceed six square feet in sign face area;

iv.

No portable sign may be located within any sight triangle;

v.

Portable signs, or changeable copy board for use in connection with portable signs, must be professionally printed and must not be written by hand;

vi.

Portable signs must be maintained in like-new appearance and must be free of dents or other damage;

vii.

Portable signs may be displayed only during the hours of operation of the business establishment in front of which the portable sign is displayed; and

viii.

Portable signs must be weighted or anchored so that they remain upright.

Proposed Zoning Text Amendments

Temporary Signs – Special Event/Grand Opening

Temporary Sign Panels

Sign Location

Portable Sign Design

***Temporary Signs –
Special Event/
Grand Opening***

Existing Regulation

- Special Event and Grand Opening temporary signs limited to two non-consecutive 15-day events.
- No limitations on sign type, size, number or location.

(8) Special event/grand opening signs. The following temporary, special event signs shall be permitted on private property only for a total of two nonconsecutive events per year, but shall not be erected or maintained for a period exceeding 15 consecutive days per event, and must be removed if wind gusts exceed safety guidelines or design standards for the sign, or the standards for safety tie downs to or by which they are affixed or secured:

[Amended 10-1-2013 by Ord. No. 2013-3071]

- i. Pennant/streamer signs;
- ii. Temporary banner signs; and
- iii. Other temporary signs for special events not requiring a special sign permit, and as may be approved by the Zoning Officer.

Issues

- Overly-stringent requirements may discourage seeking the required Village permit
- Short permissible time frames may not align with business needs
- Better definition of permissible temporary sign parameters is necessary
- Consideration to reduce the minimum number of days per event may be appropriate to provide greater flexibility for recurring events.

Recommendation

- In a challenging retail and commercial environment, business-friendly code revisions can show solidarity and support, so staff recommends:
 1. Increase the permissible number of days
 - 60 days per calendar year
 2. Reduce the minimum number of days
 - 5 days per event (allows up to 12 events per year)
 3. Place limitations on size, number and types of temporary signs

Considerations

- Should the number of permissible days on each property be increased? If so, what duration is acceptable?
- Should the number of events be limited? If so, what number is acceptable?
- Should the sign material and number of signs be limited?
- Should the content of temporary event signs be expanded to allow a specific sale, rather than just an event?

***Temporary
Sign Panels***

Existing Regulation

- Free-standing signs not permitted to be covered with material of a temporary nature
- Free-standing signs cannot display information other than that of the existing tenant/owner

ii. Use of natural materials. Natural materials such as wood, stone or brick are encouraged for signs.

iii. Permanence, harmony and compatibility. Signs shall be designed for permanence and their materials and construction shall not detract from the permanence of the buildings they identify.

Prohibited Signs

(19) Any other sign that is not expressly permitted by this article.

Issues

- Covering or “bagging” a sign may be appropriate for:

1. New tenant identification
2. Properties for sale/lease



- Benefits of permitting such signage include:

1. Allows tenants to get identification up immediately
2. Removes the stigma of a blank/empty sign cabinet, which can create perception of an area in decline
3. Reduces sign proliferation, with an existing sign serving as the only real estate sign on a property
4. Greater real estate sign visibility could result in a quicker real estate transaction

Recommendation

- Permit “Temporary Sign Panels”, with acceptable parameters, including:
 1. Must provide a tight-fit wrapping that completely covers and conforms to underlying shape
 2. New tenant identification should have a limitation on number of days (ie. 90 or 120 days)
 3. Specify acceptable materials

Considerations

- Should existing monument/pole signs be permitted to be wrapped for new tenant identification and or Lease/Sale signs?
- If so, should there be a limitation on how the sign is wrapped and the acceptable materials?
- What is maximum permissible time frame for temporary sign coverings?

Sign Location

Existing Regulation

- Both permanent and temporary signs are required to maintain a setback of 10' from the exterior property line.
- Variations for permanent signs are common.
- Inadequately setback temporary signs are common.

Section 11.04 (1) Monument Signs

V.

Setback. No monument sign shall be located closer than 10 feet to an exterior property line, nor closer than 50 feet to an interior property line. For a monument sign constructed at a unified business center, under multiple ownerships, interior lot lines shall only pertain to the outermost lot line.

Section 11.05 Exempt Signs

(17)

Real estate sign: one sign used to offer for sale, lease or rent the land or buildings upon which the sign is located, in compliance with the following:

i. In residential district:

1.

A ground sign shall not exceed six square feet in area per side, five feet in height above finished grade and shall not be closer than five feet to any property line; or

2.

A wall sign shall not exceed six square feet in area and shall not exceed six feet in height from the finished floor elevation of any relevant space.

ii. In business and manufacturing districts:

1.

A ground sign shall not exceed 16 square feet in area per side for a property with 50 feet or less of lot frontage, or 32 square feet in area per side for a property with more than 50 feet of lot frontage. Ground signs shall not exceed six feet in height above finished grade and shall not be closer than 10 feet to any property line.

2.

A wall sign shall not exceed 16 square feet in area for a property with 50 feet or less of lot frontage, or 32 square feet in area per side for a property with more than 50 feet of lot frontage. Wall signs shall not exceed 20 feet in height above finished grade.

Issues

- Typical small commercial lots provide challenges for sign setbacks
- Variations are not uncommon
 1. Stefani's Restaurant
 2. AT&T Store at Touhy & Lawndale
- Codes that create additional process and bureaucracy are not business-friendly



Recommendation

- Reduce the setback for permanent and temporary signs to 1' from the property line
 - Essentially no setback
 - 1' is provided to insure that the base and foundation of the sign remain on private property.

Considerations

- Should the setback for permanent signage be reduced from the current 10' requirement? If so, is 5' acceptable? 1'? Or is any setback from a property line appropriate?
- Should the setback for real estate signs be reduced from the current 10' requirement? If so, is 5' acceptable? 1'? Or is any setback from a property line appropriate?

Portable Sign Design

Existing Regulation

- Portable Signs (ie. A-frames or sandwich boards) are required to be professionally printed.
- Portable Signs may not be hand-written.

Section 11.05 Exempt Signs

(24)

Portable signs. Portable signs, such as A-frame signs or sandwich boards, are permitted in front of business or commercial establishments on private property only, subject to the following limitations:

[Added 10-1-2013 by Ord. No. 2013-3071]

i.

Only one portable sign may be located along each frontage of a business establishment;

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No portable sign may exceed four feet in height;

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iv.

No portable sign may be located within any sight triangle;

v.

Portable signs, or changeable copy board for use in connection with portable signs, must be professionally printed and must not be written by hand;

vi.

Portable signs must be maintained in like-new appearance and must be free of dents or other damage;

vii.

Portable signs may be displayed only during the hours of operation of the business establishment in front of which the portable sign is displayed; and

viii.

Portable signs must be weighted or anchored so that they remain upright.

Issues

- Professionally-printed requirement incurs costs for each advertisement.
- Does not permit spontaneous advertising decisions.
- Not conducive to restaurant special advertisement.
- Creates a time lag that can affect timely announcements.



Recommendation

- Remove restriction on portable signs being professionally-printed.

Considerations

- Should professional printing of portable signs continue to be required?
- Should hand-writing of portable signs be permitted under any circumstances (ie. Type of business, location of business, etc.)?



MEMORANDUM

TO: Timothy Wiberg, Village Manager

FROM: Steve McNellis, Community Development Director
Doug Hammel, Community Development Manager

DATE: January 2, 2018

SUBJECT: Proposed Building Code Text Amendment: Contractor License Revocation

This issue was originally opened for discussion at the November 7, 2017 Village Board Committee of the Whole meeting. At that meeting, the Village Board discussed this proposal and requested that staff conduct additional research before returning to a Committee of the Whole meeting for further discussion.

This memorandum presents information related to a proposed Building Code amendment that would allow the Village of Lincolnwood to revoke the Village License of contractors doing work on behalf of property owners. The intent of this proposed amendment is to enhance the Community Development Department's ability to monitor the performance of building contractors in the Village. The following pages include the relevant content of the original memorandum from November 7, 2017, as well as a summary of subsequent research conducted by staff related to comments or questions received from the Village Board during that discussion.

Contractor License Revocation Provisions

Over the past several months, staff has received complaints from residents regarding the quality of services they have received from certain building contractors. In some instances, residents have asked what actions the Village may be able to take to hold a contractor accountable for

substandard work that has been undertaken and/or work that has been completed without required inspections. In many of those cases, the resident is the petitioner and they have paid a contractor up front. As a result, the resident is responsible as the Permittee, and they have no recourse with the contractor without money held back from the contractor. In those instances, without any specific regulations in the Village Code that speak to revocation of a license, staff has had to counsel that such matters must be resolved between the property owner and the contractor. Staff assists residents by providing any documentation available to demonstrate where Village procedures or standards had not been met. (Such documentation is typically in the form of Building Permits and inspection reports related to specific improvements in question.)

Section 14-15-1 of the Building Regulations (see Attachment #1) requires all contractors conducting work in Lincolnwood to be licensed by the Village. This license is intended to ensure that property owners will be receiving services from fully licensed, insured, and bonded professionals. Several residents, however, have requested that the Village consider a more proactive approach to monitoring contractors. Currently, the Village Code lacks specific provisions that would allow the staff to hold contractors accountable when they do not follow municipal procedures or meet standards. Therefore, staff recommends an amendment to Section 14-15-1 of the Building Regulations to establish specific provisions for the revocation of a Contractor License. It should be noted that such revocation would apply to the Village License required to do work in Lincolnwood, rather than the professional license issued to a contractor by his or her related trade organization or another governing body.

Relevant policy questions to be explored through the amendment process include the following. Any Village Board comments from the November 7, 2017 discussion or information from staff research conducted since then have been added for context:

- *Does the Village support a more proactive approach to contractor monitoring?*
Generally, the Village Board supported staff's objective of establishing greater accountability for contractors and enhancing protections for residents engaged in Building Permits. There was no specific opposition to exploring the idea of contractor license revocation further.
- *What actions would trigger the possible revocation of a Village Contractor License?*
Staff research indicates that in Evanston, Morton Grove, Wilmette, and Niles, the revocation process can be triggered by violations to the community's Building Code, non-compliance of laws and/or ordinances, refusing to allow required inspections, and any matter that jeopardizes public health, safety, or welfare.

Glenview specifies that if any three violations occur in a calendar year, the contractor license shall be revoked. Specific violations include failure to correct defective work,

failure to pay debts to the Village, being in possession of an outstanding violation, and failure to complete a job.

Staff recommends that any provisions related to contractor license revocation be focused on procedural infractions, such as completing work without passing interim inspections, doing work without a permit, or doing work without being licensed by the Village. Staff stated that including provisions related to the subjective quality of work by a contractor could be difficult to administer.

- *What would be an appropriate period for reinstatement?*

Most of the communities researched do not specify a specific time period of reinstatement. Only Evanston provided specifics in this regard, stating that the license shall be revoked for up to 90 days. In Niles' one instance of revocation, the contractor did not seek to be reinstated.

- *What impacts might this have on property owners in the Village?*

Staff stated that the intended benefit for property owners is additional incentive for contractors to abide by the regulations of the Village. Related to this intended benefit, one Trustee asked how a registry of contractors with revoked licenses may be made available to the public. That question is discussed in the next section of this memorandum.

- *Who should have the power to revoke contractor licenses?*

In both Wilmette and Evanston, the power to revoke or suspend a contractor license lies with the Village Manager. The process is initiated by providing notice of a public hearing on the suspension or revocation to the licensee. In Wilmette, the licensee may appeal the action to the Village President and Board of Trustees.

In Morton Grove, the revocation process is initiated through staff and the adjudication officer makes the final decision as part of an administrative hearing. Staff's action is subject to following up on complaints from residents.

- *What is the best way to make information available to the public regarding contractors with revoked licenses?*

None of the researched communities provide a public list of contractors whose licenses have been revoked. Morton Grove has the capability to mark contractors with revoked licenses with a "red flag" on their internal staff software, indicating that the contractor is prohibited from applying for a new license or permits.

RECOMMENDATION

Staff recommends the Village Board further consider the specific provisions for Contractor License Revocation, and direct staff to draft regulatory language based on Village Board feedback.

Documents Attached

1. Current Building Regulations Related to Contractor License Requirements
2. Committee of the Whole PowerPoint Presentation

Attachment #1 – Building Regulations related to Contractor License Requirements

Chapter 1- Building Regulations, Article 15: Contractors

14-15-1 License required.

No person shall engage in the business of contractor without first having obtained a license from the Village. This article however shall not apply to plumbers or other contractors who are licensed and regulated pursuant to the preemption powers of the State of Illinois.

14-15-2 License application.

An applicant for a contractor's license shall file an application therefor with the Village Finance Director, on a form provided by the Village, which application shall include, without limitation, the number of individual employees of the applicant which will be operating under such license, the type and scope of contracting activity for which a license is requested, and a statement that the applicant agrees to comply with all provisions of this Code relating to or regulating the activities engaged in by the applicant.

14-15-3 Term of license.

Licenses issued to contractors shall be valid for a period of one year, beginning from the date of issuance.

14-15-4 Duties of licensee.

It shall be the absolute and irrevocable responsibility of all contractors licensed hereunder to secure the appropriate and necessary permits required by this Code before undertaking to construct, alter, maintain, repair, add to, subtract from, improve, move, wreck or demolish, in whole or in part, any building, structure, land parcel, sidewalk, driveway or street pavement. It shall also be the duty of all contractors licensed hereunder to comply with all the provisions of this Code relating to or regulating their activities as contractors, and, in addition thereto, to remove or cause to be removed at least once each week from the site of said contractor's activities, all trash, refuse and waste materials. Contractors shall, at all times, keep the site of activities in an orderly condition, free from standing water, unguarded, dangerous implements, and health and safety hazards. Contractors shall not obstruct traffic, streets, or sidewalks nor allow dirt or waste materials from falling or being carried onto public ways.

14-15-5 Inspection.

The provisions of this Article 15 are declared to be of a regulatory nature, and it shall at all times be the duty of all municipal officials charged with enforcement of this Code, to regularly inspect the site of the contractor's activities and to investigate whether persons engaged as contractors are properly licensed and that their activities are being conducted and operated in accordance with applicable provisions of this Code.

14-15-6 Bond required.

All contractors shall give security to the Village in the form and manner required by Chapter 6, Article 2, of this Code, by which security the contractor shall save and keep harmless the Village from any and all damage that may result to pavements, sidewalks, or other public property resulting from the use of streets in connection with such business, and, further, to save and keep harmless the Village from damages to persons or property arising from suits or claims resulting from obstructions or materials deposited or dropped upon the streets or other public places in the Village by such contractor.

14-15-7 Insurance required.

All contractors or an applicant or property owner acting as a general contractor who have applied for a building or construction permit for a property must submit evidence of current liability insurance to the Community Development Department showing that the contractor, applicant, or the property owner for which the permit is sought has insurance coverage in an amount of not less than the amount set forth in the Annual Fee Resolution for all damage to property adjoining the subject property resulting from the proposed work on the subject property.

***Proposed Building Code
Text Amendment:***

**Contractor License Revocation
Provisions**

Recent Complaints or Observations

- Contractors doing work without a Building Permit
- Contractors doing work without a Village License
- Contractors completing work without having passed interim inspections
- Contractors completing non-compliant work not shown in the Building Permit approved plans
- Unusually quick deterioration of work shortly after approval of final inspection and closing of the Building Permit

Considerations

- Does the Village support a more proactive approach (i.e. Contractor License revocation) to contractor monitoring?

If so:

- What actions would trigger the possible revocation of a Village Contractor License?
- What would be an appropriate period for reinstatement?
- What impacts might this have on property owners in the Village?

Village Board Questions (November 7)

- Who should have the power to revoke contractor licenses?
- Should the contractor receive a hearing prior to a decision by the Village, and in front of what body?
- Should the Village publically post a list of contractors whose licenses have been revoked?

Requested Action

- Provide feedback regarding the Village Board's desire to undertake more proactive Contractor License monitoring and any considerations related to such an approach, and direct staff to draft regulatory language based on that feedback



**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
7:30 P.M., JANUARY 2, 2018**

AGENDA

- I. Call to Order**
- II. Pledge to the Flag**
- III. Roll Call**
- IV. Approval of Minutes**
 - 1. Village Board Minutes – December 19, 2017
- V. Warrant Approval**
- VI. Village President’s Report**
- VII. Consent Agenda** (If anyone wishes to speak to any matter on the Consent Agenda, a Speaker’s Request Form must be completed, presented to the Village Manager, and the matter will be removed from the Consent Agenda and added to Regular Business.)
 - 1. Approval of a Resolution Regarding the Release of Certain Written Minutes and the Destruction of Verbatim Records of Certain Closed Meetings of the Village Board (Appears on Consent Agenda Because it is a Routine Function of Government)
 - 2. Approval of a Resolution Amending the Village’s Anti-Harassment Policy (Appears on Consent Agenda Because it is a Routine Function of Government)
 - 3. Approval of a Resolution Concerning Construction on State Highways in Accordance with State Specifications for a Period of Two Calendar Years (Appears on Consent Agenda Because it is a Routine Function of Government)
- VIII. Regular Business**
 - 4. Consideration of an Ordinance Repealing Ordinance No. 1033 (Adopted May 19, 1955), and Consideration of a Recommendation by the Traffic Commission to Adopt an Ordinance Vacating a Portion of the Alley on the Block Bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue, and North Drake Avenue
 - 5. Consideration of a Recommendation by the Zoning Board of Appeals in Case #ZB-11-17 to Deny a Variation Request Regarding Existing Non-Conforming Fences in the Corner Side Yard and Interior Side Yard of 6454 North Kimball Avenue and in the Interior Side Yard of 6450 North Kimball Avenue
- IX. Manager’s Report**

X. Board, Commission, and Committee Reports

XI. Village Clerk's Report

XII. Trustee Report

XIII. Public Forum

XIV. Closed Session

A Closed Session is Requested to Discuss Employment Matters Per Section 2(c)(1)

XV. Adjournment

DATE POSTED: December 29, 2017

All Village Board meetings are broadcast live to residents on Comcast Cable Channel 6, AT&T U-VERSE Channel 99, RCN Channel 49, and online at Lincolnwood.tv at 7:30 p.m. Rebroadcasts of Village Board meetings can be viewed one week following the live broadcast at 1:00 p.m. and 7:30 p.m. on cable television or online at lwdtv.org or on the Lincolnwood Mobile App.

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
DECEMBER 19, 2017**

DRAFT

Call to Order

President Bass called the regular meeting of the Lincolnwood Board of Trustees to order at 7:30 p.m., Tuesday, December 19, 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 Patel, Cope, Ikezoe-Halevi, Hlepas Nickell, Spino, Sugarman

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 (left at 8 P.M.) Barbara Adams, Village Attorneys (Arrived at 8:15 P.M.); Charles Meyer, Assistant to the Village Manager; Nadim Badran, Assistant to the Public Works Director; Doug Hammel, Community Development Manager.

Approval of Minutes

The minutes from the December 5, 2017 Village Board meetings were distributed and examined in advance.

Trustee Sugarman moved to approve the minutes, seconded by Trustee Cope.

The minutes were approved by a voice vote.

Warrant Approval

President Bass presented the warrants for approval in the amount of \$1,016,952.83. Trustee Sugarman moved to approve, seconded by Trustee Ikezoe-Halevi.

Upon a Roll Call the results were:

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

NAYS: None

The motion passed.

Village President's Report

1. Winter Break Camp

Join the Parks and Recreation Department for fun-filled days with friends at Winter Break Camp. Daily field trips, active play, fun themes and more will ensure children ages kindergarten through 5th grade have a memorable and exciting winter break. Full camp days from 8am-6pm as well as flexible, pick-a-day options are available. For more information register at www.recreation.lwd.org or stop by the Parks and Recreation office located in Village Hall Monday through Friday between 9 a.m.- 5 p.m.

2. Larry Froman Memorial Blood Drive

The Larry Froman Memorial Blood drive will take place here, in Village Hall Council Chambers, this Thursday, December 21st from 1:30 to 7 p.m. Please remember that by giving blood you are giving back to the community and helping those in need.

3. Happy Holidays

President Bass, wished residents celebrating a number of holidays, a happy and healthy holiday season and a happy a healthy new year.

4. Appointment to Fill the Vacancy in the Office of Village Treasurer

President Bass announced that he is recommending Eric Biljetina to fill this vacancy.

President Bass stated that it was his duty to fill this vacancy.

Trustee Sugarman moved to approve this appointment seconded by Trustee Hlepas Nickell.

The motion passed by Voice Vote. Trustee Patel voted Nay.

Trustee Ikezoe-Halevi requested information, she did not know of this vacancy.

Attorney Elrod clarified this process. President Bass made this appointment appropriately.

Trustee Patel spoke of the possibility, which had been discussed at previous board meetings, of eliminating the position. It was his opinion that this should be discussed at a future meeting. Since the vote had been taken and the motion passed, the board needs to go ahead.

The future of the Treasurer position will be discussed at a later meeting.

5. Discussion Concerning the Selection of a Date to Conduct an Evaluation of the Village Manager

President Bass stated that this process will begin the first week in January. Mr. Wiberg noted that he will be on vacation that week.

6. Recognition of Retired Police Chief Robert LaMantia

President Bass:

On December 1, 2017 Robert LaMantia retired from the position of Police Chief with the Village of Lincolnwood after a 37 year career in law enforcement. Chief LaMantia was appointed as the Lincolnwood Chief of Police in October 2006 after serving for more than 26 years for the Wilmette Police Department. During the Chief's tenure he was the staff liaison to the Traffic Commission, reviewing traffic safety improvements, public hearings on the Crawford Avenue reconstruction

process and many policy initiatives such as alternate side street parking during snow events and commercial vehicle parking amendments. Chief LaMantia was also instrumental in the Village's

Coffee with the Clergy program. Most recently, he was responsible for the transition of E9-1-1 dispatch services to the Village of Skokie. We appreciate Chief LaMantia's service and dedication to the community. At this time I would like to call Chief LaMantia to the podium.

President Bass presented the chief with a plaque and shadow box. Chief spoke thanking all for his years in Lincolnwood.

Consent Agenda

- 1. Approval of a Resolution Approving a Supplemental Statement of Work Under an Agreement with Municipal GIS Partners, Inc. for GIS Support Services and Renewing the Agreement for a Period of Three Years**
- 2. Approval of Resolution Authorizing a Contract Renewal with Best Quality Cleaning, Inc. of Franklin Park, Illinois for Janitorial Services in the Amount of \$38,760**
- 3. Approval of a Resolution Authorizing a Contract Renewal with KGI Landscaping Company of Skokie, Illinois for Landscaping Maintenance Services within the Village in the Amount of \$39,861.74**
- 4. Approval of a Recommendation by the Plan Commission to Adopt a Resolution Regarding Case #PC-08-17 Approving a Preliminary Plat of Subdivision for the Property at 6530 North Lincoln Avenue**

Trustee Hlepas Nickell moved to approve the Consent Agenda as presented. The motion was seconded by Trustee Cope.

Upon a Roll Call the results were:

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

NAYS: None

The motion passed.

Regular Business

There were no items for Regular Business.

Manager's Report

Village offices will be closed on December 25 and 26 and January 1.

Board and Commissions Report

Trustee Ikezoe-Halevi announced that the Human Relations event "Iron Chiefs" will take place on February 3 from 6:30 to 10 p.m. in the Community Center. The Parks and Recreation Department will have a form available on line for registration.

Village Clerk's Report

None

Trustees Reports

None

Public Forum

The following residents addressed the Board:

Gregory Frey, Nina Gyourgis, Barry Wicker, Atur Gyourgis, Steven Frey who also presented a letter to the Board.

Adjournment

At 8:00 p.m. Trustee Hlepas Nickell moved to adjourn the meeting to Closed Session for the purpose of discussion regarding Employment Matters Per Section 2(c)1 and Closed Session Minutes Per Section 2(c)(21) ,seconded by Trustee Spino.

Upon Roll Call the Results were:

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

Reconvention

At 8:31p.m. President Bass reconvened the Village Board Meeting.

Adjournment

At 8:32 p.m. Trustee Cope moved to adjourn the meeting, seconded by Trustee Spino. The motion passed with a Voice Vote.

Respectfully Submitted,

Beryl Herman
Village Clerk

TO: President and the Board of Trustees

FROM: Timothy C. Wiberg, Village Manager

SUBJECT: Warrant Approval

DATE: December 29, 2017

The following are the totals for the List of Bills being presented at the January 2nd Village Board meeting.

01/02/2018	99,238.99
01/02/2018	315,319.03
01/02/2018	22,604.46
01/02/2018	42,230.83
Total	<hr/> \$ 479,393.31

Accounts Payable

To Be Paid Proof List

User: jmazzeffi
Printed: 12/27/2017 - 12:16PM
Batch: 00100.01.2018



Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
American First Aid Services					
AFAS INC					
58370	12/4/2017	42.00	0.00	01/02/2018	
101-200-511-5599 Other contractual					First Aid box refill for Village Hall break room
58370 Total:		42.00			
American First Aid Service		42.00			
A-Z Entertainment, Ltd.					
AZENTER					
282571	10/27/2017	775.00	0.00	01/02/2018	
205-504-515-5270 Purchased program services					Daddy Daughter Dance Payment
282571 Total:		775.00			
A-Z Entertainment, Ltd. To		775.00			
Beckering, Kate					
BECKERIN					
120817	12/8/2017	230.00	0.00	01/02/2018	
205-000-210-2430 Parks and Recs Control Deposi					Refund - Winter Break camp
120817 Total:		230.00			
Beckering, Kate Total:		230.00			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Business Only Broadband					
BUSONLY					
84675	1/1/2018	250.00	0.00	01/02/2018	
101-250-511-5580 Telephone					Back up connection - Internet Access - January
	84675 Total:	250.00			
84676	1/1/2018	250.00	0.00	01/02/2018	
101-250-511-5580 Telephone					Wireless Alarm - Internet Access - January
	84676 Total:	250.00			
	Business Only Broadband	500.00			
Chicago Metropolitan Fire Prevention Co.					
CHGOMETR					
173251	11/30/2017	2,634.60	0.00	01/02/2018	
101-420-511-5405 R&M - buildings					Fire sprinkler system service call
	173251 Total:	2,634.60			
	Chicago Metropolitan Fire	2,634.60			
Chicago Tribune					
CHGOTRIB					
5260701	11/2/2017	940.80	0.00	01/02/2018	
101-210-511-5510 Advertising					Legal Ad - Annual Treasurer's report
	5260701 Total:	940.80			
	Chicago Tribune Total:	940.80			
Classic Design Awards					
CLASSICD					
171808	12/11/2017	85.60	0.00	01/02/2018	
101-100-511-5799 Other materials & supplies					Name plate for New Commission and New Interim Police C

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
171808 Total:		85.60			
Classic Design Awards Tot		85.60			
Commonwealth Edison					
COMED					
2873043051	12/6/2017	189.03	0.00	01/02/2018	6471 N Lincoln - 11/2/17-12/5/17
101-440-513-5785 Utilities - public way					
2873043051 Total:		189.03			
4847019018	12/6/2017	167.19	0.00	01/02/2018	6668 N. Lincoln - 11/2/17-12/5/17
101-440-513-5785 Utilities - public way					
4847019018 Total:		167.19			
Commonwealth Edison To		356.22			
Cook County Recorder of Deeds					
COOKCOUN					
35111302017R	11/30/2017	190.00	0.00	01/02/2018	Recording fees
101-230-511-5399 Other professional services					
35111302017R Total:		190.00			
Cook County Recorder of D		190.00			
Fedex					
FEDEX					
862772772680	11/30/2017	41.76	0.00	01/02/2018	Shipping - Public Works
101-400-511-5730 Program supplies					
862772772680 Total:		41.76			
Fedex Total:		41.76			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Great Lakes Coca Cola Distribution					
GREATLAC					
728206738	10/11/2017	437.41	0.00	01/02/2018	Pop for Public Works pop machine
101-210-511-5700 Office supplies					
	728206738 Total:	437.41			
	Great Lakes Coca Cola Dis	437.41			
Groot Recycling & Waste Services					
GROOT					
15442003	11/30/2017	4,040.01	0.00	01/02/2018	22280-002/Public Works
101-440-514-5230 Garbage & recycling					
	15442003 Total:	4,040.01			
15445419	11/30/2017	7,697.13	0.00	01/02/2018	22280-001/Public Works
101-440-514-5230 Garbage & recycling					
	15445419 Total:	7,697.13			
15447125	12/1/2017	58,269.98	0.00	01/02/2018	1229-001/Community pick up
101-440-514-5230 Garbage & recycling					
	15447125 Total:	58,269.98			
15447126	12/1/2017	738.89	0.00	01/02/2018	1230-001/School District #74
101-440-514-5230 Garbage & recycling					
	15447126 Total:	738.89			
15461455	12/1/2017	3,242.54	0.00	01/02/2018	1231-001/Multi family pick up
101-440-514-5230 Garbage & recycling					
	15461455 Total:	3,242.54			
	Groot Recycling & Waste S	73,988.55			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Illinois Fire Inspectors Assoc.					
ILFIREIN					
19310	12/11/2017	95.00	0.00	01/02/2018	2018 Membership
101-350-512-5570 Professional associations					
19310 Total:		95.00			
Illinois Fire Inspectors Ass		95.00			
Impact Networking, LLC					
IMPACT					
956129	11/1/2017	19.50	0.00	01/02/2018	Shipping Fee - Toner for Fire
101-000-210-2650 Contractor Permits Payable					
956129 Total:		19.50			
982771	12/6/2017	19.50	0.00	01/02/2018	Shipping Fee - Toner for Police
101-210-511-5440 R&M - office equipment					
982771 Total:		19.50			
983134	12/7/2017	204.00	0.00	01/02/2018	Copier - Public Works
660-610-519-5340 Maintenance Agreement Expen					
983134	12/7/2017	204.00	0.00	01/02/2018	Copier - Parks
205-500-515-5440 R&M - office equipment					
983134	12/7/2017	204.00	0.00	01/02/2018	Copier - Fire
101-000-210-2650 Contractor Permits Payable					
983134	12/7/2017	537.00	0.00	01/02/2018	Copier - Police & Finance
101-210-511-5440 R&M - office equipment					
983134 Total:		1,149.00			
Impact Networking, LLC T		1,188.00			
IRMA					
IRMA					
SALES0016517	11/30/2017	4,837.21	0.00	01/02/2018	November Deductible
101-210-511-5260 Liability insurance					

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	
Account Number					Description
	SALES0016517 Total:	4,837.21			
	IRMA Total:	4,837.21			
Lakeshore Recycling Systems					
LAKESHR					
179559	11/23/2017	95.00	0.00	01/02/2018	
	205-430-515-5730 Program supplies				Weekly service - October 27th thru November 23, 2017
	179559 Total:	95.00			
	Lakeshore Recycling Syste	95.00			
Lincolnwood Chamber of Commerce & Industry					
LWDCHAMB					
CH12142017	12/14/2017	70.00	0.00	01/02/2018	
	101-200-511-5840 Meals				Toys for Tots Luncheon
CH12142017	12/14/2017	105.00	0.00	01/02/2018	
	101-100-511-5840 Meals				Toys for Tots Luncheon
CH12142017	12/14/2017	70.00	0.00	01/02/2018	
	101-300-512-5730 Program supplies				Toys for Tots Luncheon
CH12142017	12/14/2017	70.00	0.00	01/02/2018	
	101-240-517-5840 Meals				Toys for Tots Luncheon
CH12142017	12/14/2017	35.00	0.00	01/02/2018	
	101-400-511-5840 Meals				Toys for Tots Luncheon
CH12142017	12/14/2017	35.00	0.00	01/02/2018	
	101-350-512-5840 Meals				Toys for Tots Luncheon
	CH12142017 Total:	385.00			
	Lincolnwood Chamber of C	385.00			
Lionheart Critical Power Specialists, Inc.					
LIONHEAR					
2082293	12/6/2017	2,455.00	0.00	01/02/2018	

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Account Number					
101-350-512-5405 R&M - buildings					Generator repairs and maintenance
	2082293 Total:	2,455.00			
	Lionheart Critical Power S	2,455.00			
MGP, Inc.					
MGPINC					
3632	11/30/2017	909.14	0.00	01/02/2018	
101-250-511-5599 Other contractual					GISC Staffing - November
3632	11/30/2017	909.15	0.00	01/02/2018	
101-000-210-2650 Contractor Permits Payable					GISC Staffing - November
3632	11/30/2017	1,818.29	0.00	01/02/2018	
660-620-519-5599 Other contractual					GISC Staffing - November
3632	11/30/2017	275.00	0.00	01/02/2018	
101-250-511-5599 Other contractual					GISC Staffing - November
	3632 Total:	3,911.58			
	MGP, Inc. Total:	3,911.58			
Nicor Gas					
NICOR					
1436840000	12/6/2017	375.23	0.00	01/02/2018	
205-430-515-5780 Utilities - government buildin					Community Center - 11/6/17-12/6/17
	1436840000 Total:	375.23			
21-46-84-00003	12/7/2017	296.50	0.00	01/02/2018	
205-560-515-5780 Utilities - government buildin					Pool - 11/6/17-12/6/17
	21-46-84-00003 Total:	296.50			
21-84-84-00004	12/6/2017	319.45	0.00	01/02/2018	
660-620-519-5780 Utilities - government buildin					Pump Station/11/3/17-12/6/17
	21-84-84-00004 Total:	319.45			
3017240000	12/6/2017	1,501.62	0.00	01/02/2018	

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
101-420-511-5780 Utilities - government buildin					Public Services - 11/6/17-12/7/17
3017240000 Total:		1,501.62			
31-46-84-00002	12/11/2017	363.25	0.00	01/02/2018	
205-560-515-5780 Utilities - government buildin					Parks & Rec - 11/6/17-12/6/17
31-46-84-00002 Total:		363.25			
5202340000	12/7/2017	890.87	0.00	01/02/2018	
101-420-511-5780 Utilities - government buildin					Village Hall - 11/7/17-12/7/17
5202340000 Total:		890.87			
6202340000	12/7/2017	972.23	0.00	01/02/2018	
101-420-511-5780 Utilities - government buildin					Public Safety - 11/7/17-12/7/17
6202340000 Total:		972.23			
70-61-47-04487	12/7/2017	62.35	0.00	01/02/2018	
205-560-515-5780 Utilities - government buildin					7055 Kostner - 11/6/17-12/7/17
70-61-47-04487 Total:		62.35			
Nicor Gas Total:		4,781.50			
Niles Township NILETOWN 121217	12/12/2017	200.00	0.00	01/02/2018	
101-100-511-5799 Other materials & supplies					Donation on behalf of Boards and Commissions
121217 Total:		200.00			
Niles Township Total:		200.00			
Nodarse, Manuel NODMANU 006465-000	12/15/2017	219.48	0.00	01/02/2018	
660-000-110-1230 Water customer receivables					Refund issued for Credit balance on Water account

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	
Account Number					Description
	006465-000 Total:	219.48			
	Nodarse, Manuel Total:	219.48			
Northwest Suburban United Way NWUNITED 121217	12/12/2017	200.00	0.00	01/02/2018	
101-100-511-5799 Other materials & supplies					Donation on behalf of Boards and Commissions
	121217 Total:	200.00			
	Northwest Suburban Unite	200.00			
Sam's Club SAMSCCL 113017	11/30/2017	118.06	0.00	01/02/2018	
205-504-515-5645 Concessions & food					Lincolnwood Lights refreshments
	113017 Total:	118.06			
120117	12/1/2017	133.81	0.00	01/02/2018	
205-520-515-5645 Concessions & food					Club Kid snack
	120117 Total:	133.81			
	Sam's Club Total:	251.87			
Spear, Barbara SPEARB 2016MUTR	12/15/2017	52.48	0.00	01/02/2018	
101-000-410-4050 Utility tax - electric					2016 Utility Tax rebate
2016MUTR	12/15/2017	24.85	0.00	01/02/2018	
101-000-410-4055 Utility tax - natural gas					2016 Utility Tax rebate
2016MUTR	12/15/2017	38.14	0.00	01/02/2018	
101-000-410-4060 Telecommunications tax					2016 Utility Tax rebate

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Account Number					
	2016MUTR Total:	115.47			
	Spear, Barbara Total:	115.47			
Teleflex TELEFLEX 95330805	12/2/2017	239.94	0.00	01/02/2018	Laryngoscope blades for patient intubation
101-350-512-6570 Equipment - public safety					
	95330805 Total:	239.94			
	Teleflex Total:	239.94			
United Dispatch, LLC 303 44565	12/1/2017	42.00	0.00	01/02/2018	Taxi Coupons - November
205-570-515-5280 Subsidized taxi program					
	44565 Total:	42.00			
	United Dispatch, LLC Total:	42.00			
	Report Total:	99,238.99			

Accounts Payable

To Be Paid Proof List

User: jmazzeffi
Printed: 12/27/2017 - 12:16PM
Batch: 00101.01.2018



Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Account Number					
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Al's Cycle Shop ALCYCLES ACS111717	11/17/2017	2,418.00	0.00	01/02/2018	Trek Police bicycles with accessories
101-300-512-5730 Program supplies					
		<hr/>			
	ACS111717 Total:	2,418.00			
		<hr/>			
	Al's Cycle Shop Total:	2,418.00			
American Express AMEREXP 121117	12/11/2017	45.00	0.00	01/02/2018	Membership Fee - Fire Dept
101-210-511-5725 Bank & Credit Card Fees					
		<hr/>			
	121117 Total:	45.00			
31083122017	12/20/2017	12.00	0.00	01/02/2018	Pennwell - Fire Engineering magazine subscription
101-350-512-5620 Books & publications					
31083122017	12/20/2017	78.00	0.00	01/02/2018	Battery Junction - Batteries for SCBA masks
101-350-512-5430 R&M - Fire & EMS equipmen					
31083122017	12/20/2017	1,420.74	0.00	01/02/2018	Firefighter bookstore - Operations text books and DVD
101-350-512-5620 Books & publications					
31083122017	12/20/2017	35.19	0.00	01/02/2018	Robert Brooke & Assoc - Locker repair parts
101-350-512-5499 R&M - other					
31083122017	12/20/2017	113.19	0.00	01/02/2018	Grainger - Hand sanitizer dispensers and refills for ambulan
101-350-512-5660 EMS supplies					
31083122017	12/20/2017	93.00	0.00	01/02/2018	Grainger - Hand sanitizer dispensers and refills for ambulan
101-350-512-5660 EMS supplies					
31083122017	12/20/2017	-14.38	0.00	01/02/2018	

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
101-350-512-5660 EMS supplies					Grainger - credit
31083122017	12/20/2017	-98.81	0.00	01/02/2018	
101-350-512-5660 EMS supplies					Grainger - credit
	31083122017 Total:	1,638.93			
31182110817	11/8/2017	59.00	0.00	01/02/2018	
101-100-511-5799 Other materials & supplies					Flowers - Employees grandfather wake
	31182110817 Total:	59.00			
31182111717	11/17/2017	195.95	0.00	01/02/2018	
101-100-511-5799 Other materials & supplies					Holiday cards for Mayor
	31182111717 Total:	195.95			
31182112117	11/21/2017	22.69	0.00	01/02/2018	
101-100-511-5840 Meals					Refreshments for Board meeting
	31182112117 Total:	22.69			
31182112817	11/28/2017	89.74	0.00	01/02/2018	
101-100-511-5840 Meals					Dinner for Village Board workshop
31182112817	11/28/2017	32.97	0.00	01/02/2018	
101-100-511-5840 Meals					Dinner for Village Board workshop
	31182112817 Total:	122.71			
31182113017	11/30/2017	93.79	0.00	01/02/2018	
101-100-511-5840 Meals					Dinner for Village Board workshop
31182113017	11/30/2017	35.61	0.00	01/02/2018	
101-100-511-5840 Meals					Dinner for Village Board workshop
31182113017	11/30/2017	1.99	0.00	01/02/2018	
101-250-511-5340 Maintenance Agreement Expen					Website domain
31182113017	11/30/2017	188.00	0.00	01/02/2018	
101-200-511-5570 Professional associations					Financial forecast seminar
31182113017	11/30/2017	89.00	0.00	01/02/2018	
101-240-517-5570 Professional associations					Financial forecast seminar
	31182113017 Total:	408.39			
31182120317	12/3/2017	41.21	0.00	01/02/2018	

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
101-250-511-5340 Maintenance Agreement Expen					Server storage - Amazon
	31182120317 Total:	41.21			
31182120417	12/4/2017	31.24	0.00	01/02/2018	
101-100-511-5840 Meals					Refreshments - Village Board meeting
	31182120417 Total:	31.24			
31182120517	12/5/2017	31.86	0.00	01/02/2018	
101-250-511-5330 Data processing					Adobe for intern for CD
31182120517	12/5/2017	21.98	0.00	01/02/2018	
101-100-511-5840 Meals					Dinner - Village Board meeting
31182120517	12/5/2017	14.37	0.00	01/02/2018	
101-100-511-5840 Meals					Dinner - Village Board meeting
31182120517	12/5/2017	19.99	0.00	01/02/2018	
101-250-511-5640 Computer supplies					Memory card for camera for meetings
	31182120517 Total:	88.20			
31190111017	11/10/2017	50.00	0.00	01/02/2018	
205-520-515-5270 Purchased program services					Schaumburge PD - Winter Break camp
31190111017	11/10/2017	275.35	0.00	01/02/2018	
205-570-515-5645 Concessions & food					L'Woods - Senior Thanksgiving lunch
	31190111017 Total:	325.35			
31190111117	11/11/2017	257.95	0.00	01/02/2018	
205-504-515-5270 Purchased program services					Wayfair - Lincolnwood light snowflakes
	31190111117 Total:	257.95			
31190111617	11/16/2017	196.28	0.00	01/02/2018	
205-504-515-5730 Program supplies					Fun Express - Breakfast with Santa giveaways
	31190111617 Total:	196.28			
31190112817	11/28/2017	545.37	0.00	01/02/2018	
205-430-515-5730 Program supplies					Treetop Products - Central Park Tennis message board
	31190112817 Total:	545.37			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	
Account Number					Description
31190112917	11/29/2017	175.00	0.00	01/02/2018	
205-504-515-5270					Purchased program services Santa performer for Breakfast with Santa
31190112917 Total:		175.00			
31190113017	11/30/2017	2.13	0.00	01/02/2018	
205-504-515-5510					Advertising Facebook - Breakfast with Santa
31190113017	11/30/2017	4.33	0.00	01/02/2018	
205-504-515-5510					Advertising Facebook - Breakfast with Santa
31190113017 Total:		6.46			
31190120117	12/1/2017	10.00	0.00	01/02/2018	
205-530-515-5730					Program supplies Google - Google Docs Account
31190120117	12/1/2017	10.00	0.00	01/02/2018	
205-560-515-5640					Computer supplies Google - Pool Account
31190120117	12/1/2017	254.00	0.00	01/02/2018	
205-500-515-5570					Professional associations IPRA-IPRA membership renewal
31190120117 Total:		274.00			
31190120217	12/2/2017	15.00	0.00	01/02/2018	
205-500-515-5725					Credit card charges Plug n Play monthly billing
31190120217 Total:		15.00			
3121611417	11/14/2017	16.00	0.00	01/02/2018	
101-400-511-5820					Local mileage, parking & tolls Parking/Meeting
3121611417 Total:		16.00			
31216113017	11/30/2017	149.00	0.00	01/02/2018	
101-440-513-5590					Training Supervisory Success Training
31216113017 Total:		149.00			
32008111617	11/16/2017	147.85	0.00	01/02/2018	
660-610-519-5580					Telephone Internet Service - Public Works
32008111617	11/16/2017	104.85	0.00	01/02/2018	
660-610-519-5580					Telephone Internet Service - Pump House
32008111617	11/16/2017	267.92	0.00	01/02/2018	
101-250-511-5580					Telephone Internet Service - Village Hall

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
32008111617 Total:		520.62			
32008120517	12/5/2017	34.99	0.00	01/02/2018	Memory card for Camera
101-200-511-5700 Office supplies					
32008120517 Total:		34.99			
American Express Total:		5,169.34			
American Traffic Solutions					
ATS					
INV00025687	11/30/2017	4,400.00	0.00	01/02/2018	
101-300-512-5599 Other contractual					Automated Traffic Safety Program - October
INV00025687	11/30/2017	530.10	0.00	01/02/2018	
101-300-512-5599 Other contractual					Collection of unpaid violations - November
INV00025687 Total:		4,930.10			
American Traffic Solutions		4,930.10			
Bank of America, Business Card					
BANKOFAM					
0423120817	12/8/2017	71.46	0.00	01/02/2018	
101-300-512-5480 R&M - vehicles					Walmart - Battery charger
0423120817	12/8/2017	274.25	0.00	01/02/2018	
101-300-512-5730 Program supplies					Positive Promotions - Promos for Turkey Trot
0423120817	12/8/2017	26.93	0.00	01/02/2018	
101-300-512-5730 Program supplies					Annie's Pancake House - Meeting with Police and Fire chair
0423120817	12/8/2017	44.99	0.00	01/02/2018	
101-300-512-5640 Computer supplies					Best Buy - Replacement hard drive for IT Computer
0423120817	12/8/2017	95.00	0.00	01/02/2018	
101-300-512-5820 Local mileage, parking & tolls					Parking - SP Plus parking fee
0423120817	12/8/2017	16.28	0.00	01/02/2018	
101-300-512-5730 Program supplies					Corner Bakery - Fire and Police Commission meeting
0423120817	12/8/2017	314.36	0.00	01/02/2018	
101-300-512-5700 Office supplies					Shoplet - office supplies

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
0423120817 Total:		843.27			
1582110617	11/6/2017	315.00	0.00	01/02/2018	IPRA/IAPD Conference Registration
205-500-515-5810 Conference & meeting registrat					
1582110617	11/6/2017	395.00	0.00	01/02/2018	IPRA/IAPD Conference Registration
205-500-515-5810 Conference & meeting registrat					
1582110617	11/6/2017	395.00	0.00	01/02/2018	IPRA/IAPD Conference Registration
205-500-515-5810 Conference & meeting registrat					
1582110617	11/6/2017	385.00	0.00	01/02/2018	IPRA/IAPD Conference Registration
205-500-515-5810 Conference & meeting registrat					
1582110617 Total:		1,490.00			
1582110917	11/9/2017	40.00	0.00	01/02/2018	IPRA Luncheon
205-500-515-5810 Conference & meeting registrat					
1582110917	11/9/2017	139.98	0.00	01/02/2018	Halloween costume/Turkey Trot
205-509-515-5730 Program supplies					
1582110917 Total:		179.98			
1582111017	11/10/2017	395.00	0.00	01/02/2018	IPRA/IAPD Conference Registration
205-500-515-5810 Conference & meeting registrat					
1582111017 Total:		395.00			
1582111917	11/19/2017	525.00	0.00	01/02/2018	Little Caesars - TurkeyTrot pizza
205-509-515-5645 Concessions & food					
1582111917 Total:		525.00			
6205110817	11/8/2017	25.87	0.00	01/02/2018	Trader Joe's - Senior Thanksgiving giveaway
205-570-515-5730 Program supplies					
6205110817	11/8/2017	100.00	0.00	01/02/2018	Sky High Sports - Winter Break camp
205-520-515-5270 Purchased program services					
6205110817 Total:		125.87			
6205110917	11/9/2017	12.00	0.00	01/02/2018	Mariano's - Senior Thanksgiving Centerpiece
205-570-515-5730 Program supplies					

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
6205110917 Total:		12.00			
6205111717	11/17/2017	38.57	0.00	01/02/2018	Walmart - Turkey Trot Volunteer donuts
205-509-515-5645 Concessions & food					
6205111717 Total:		38.57			
6205112417	8/24/2017	121.20	0.00	01/02/2018	Sunburst - Club Kid staff uniforms
205-520-515-5799 Other materials & supplies					
6205112417	11/24/2017	138.24	0.00	01/02/2018	Sunburst - Club Kid staff uniforms
205-520-515-5799 Other materials & supplies					
6205112417 Total:		259.44			
6205113017	11/30/2017	28.26	0.00	01/02/2018	Michael's - Breakfast with Santa supplies
205-504-515-5730 Program supplies					
6205113017	11/30/2017	44.12	0.00	01/02/2018	Walmart - Lincolnwood lights
205-504-515-5730 Program supplies					
6205113017	11/30/2017	19.02	0.00	01/02/2018	Walmart - Gingerbread Event supplies
205-504-515-5270 Purchased program services					
6205113017	11/30/2017	29.64	0.00	01/02/2018	Walmart - Community Center supplies
205-571-515-5730 Program supplies					
6205113017	11/30/2017	636.32	0.00	01/02/2018	Lee & Eddies - Breakfast with Santa
205-504-515-5645 Concessions & food					
6205113017	11/30/2017	102.48	0.00	01/02/2018	Party City - Breakfast with Santa supplies
205-504-515-5730 Program supplies					
6205113017 Total:		859.84			
6205120617	12/6/2017	971.25	0.00	01/02/2018	The Penninsula Chicago - Senior Holiday Tea
205-570-515-5645 Concessions & food					
6205120617 Total:		971.25			
8334111617	11/16/2017	40.00	0.00	01/02/2018	Ipass replenishment
101-210-511-5820 Local mileage, parking & tolls					
8334111617 Total:		40.00			
8334120717	12/7/2017	40.00	0.00	01/02/2018	Ipass replenishment
101-210-511-5820 Local mileage, parking & tolls					

Invoice Number	Invoice Date	Amount	Quantity	Payment Date
Account Number	Description			
8334120717 Total:		40.00		
Bank of America, Business		5,780.22		
Canon Solutions America				
CANN				
450200	12/1/2017	48.32	0.00	01/02/2018
101-210-511-5440 R&M - office equipment				Copier Maintenance - December
450200	12/1/2017	8.80	0.00	01/02/2018
101-210-511-5440 R&M - office equipment				Copier Usage - November
450200 Total:		57.12		
Canon Solutions America T		57.12		
Cassidy Tire				
CASSIDYT				
708000236	12/15/2017	150.00	0.00	01/02/2018
101-300-512-5480 R&M - vehicles				Tire for Squad #214
708000236 Total:		150.00		
Cassidy Tire Total:		150.00		
Chicago Communications, LLC				
CHGOCOMM				
397505	12/8/2017	49.60	0.00	01/02/2018
101-300-512-5410 R&M - communications equipm				Monthly Police mobile & portable radio maintenance - Janu
397505 Total:		49.60		
Chicago Communications,		49.60		

Commonwealth Edison

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
COMED					
1011026306	11/10/2017	2,441.85	0.00	01/02/2018	Metered Street lights
101-440-513-5785 Utilities - public way					
1011026306 Total:		2,441.85			
2028043041	12/6/2017	4,710.21	0.00	01/02/2018	Master Account Street Lighting
101-440-513-5785 Utilities - public way					
2028043041 Total:		4,710.21			
5103171049	12/13/2017	3,906.78	0.00	01/02/2018	Master Account Street Lighting
101-440-513-5785 Utilities - public way					
5103171049	12/13/2017	347.71	0.00	01/02/2018	Master Account Street Lighting
660-620-519-5785 Utilities - public way					
5103171049 Total:		4,254.49			
57221-35010	12/6/2017	541.19	0.00	01/02/2018	Master Account Street Lighting
101-440-513-5785 Utilities - public way					
57221-35010 Total:		541.19			
592075011	11/27/2017	1,657.87	0.00	01/02/2018	Master Account Street Lighting
101-440-513-5785 Utilities - public way					
592075011 Total:		1,657.87			
Commonwealth Edison To		13,605.61			
Critical Reach					
CRITICAL					
18-749	12/5/2017	285.00	0.00	01/02/2018	Critical Reach APBnet Law
101-300-512-5599 Other contractual					
18-749 Total:		285.00			
Critical Reach Total:		285.00			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	
Account Number					Description
De Lange Landen Financial Services DELANGE 57363999	12/16/2017	89.92	0.00	01/02/2018	
205-571-515-5730 Program supplies					CC Copier November invoice
		89.92			
57363999 Total:		89.92			
		89.92			
De Lange Landen Financia		89.92			
Fedex FEDEX 811309872440	12/11/2017	27.25	0.00	01/02/2018	
101-210-511-5720 Postage					Shipping - Public Works
		27.25			
811309872440 Total:		27.25			
		27.25			
Fedex Total:		27.25			
Galls Incorporated GALLS 008896119	12/8/2017	130.00	0.00	01/02/2018	
101-300-512-5070 Uniform allowance					Uniform items
		130.00			
008896119 Total:		130.00			
		130.00			
Galls Incorporated Total:		130.00			
Illinois Association of Code Enforcement ILLINO IACE2018	12/18/2017	25.00	0.00	01/02/2018	
101-300-512-5570 Professional associations					2018 Annual Membership fee
		25.00			
IACE2018 Total:		25.00			
		25.00			
Illinois Association of Cod		25.00			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Account Number					
IRMA					
IRMA					
121317	12/13/2017	421,875.00	0.00	01/02/2018	
101-210-511-5260					Liability insurance
					IRMA 2017 Contribution/Annual Contribution
121317	12/13/2017	-42,182.00	0.00	01/02/2018	
101-000-210-2649					Other deposits payable
					Less: Deductible credit
121317	12/13/2017	-100,000.00	0.00	01/02/2018	
101-000-110-1295					IRMA Member Surplus
					Excess surplus credit
	121317 Total:	279,693.00			
	IRMA Total:	279,693.00			
Lincolnwood Auto Const. Inc.					
LINCAC					
6349	12/15/2017	1,560.96	0.00	01/02/2018	
101-300-512-5480					R&M - vehicles
					Repair to Squad 2016 from an accident
	6349 Total:	1,560.96			
	Lincolnwood Auto Const. I	1,560.96			
Lowe's Business Acc/GECE					
LOWES					
01904	12/14/2017	195.02	0.00	01/02/2018	
660-620-519-5730					Program supplies
					Foil, kneepad, LED light, wire cutters
	01904 Total:	195.02			
02546	12/11/2017	26.50	0.00	01/02/2018	
101-440-513-5730					Program supplies
					Knife for Forestry
	02546 Total:	26.50			
02655	12/12/2017	53.63	0.00	01/02/2018	
101-440-513-5730					Program supplies
					All purpose spray, wire and gauge for Forestry

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Account Number					
	02655 Total:	53.63			
02857	12/15/2017	47.90	0.00	01/02/2018	Spray bottle, LED bulbs, mask for Water
	660-620-519-5730 Program supplies				
	02857 Total:	47.90			
10516	12/7/2017	24.04	0.00	01/02/2018	Drill bits and screws for Village Hall desk
	101-420-511-5730 Program supplies				
	10516 Total:	24.04			
16597	12/11/2017	61.74	0.00	01/02/2018	Community Center chair cleaner
	205-571-515-5730 Program supplies				
	16597 Total:	61.74			
16627	12/11/2017	71.25	0.00	01/02/2018	Community Center chair cleaner
	205-571-515-5730 Program supplies				
	16627 Total:	71.25			
16755	12/12/2017	-42.75	0.00	01/02/2018	Carpet cleaner - deposit refund
	205-571-515-5730 Program supplies				
	16755 Total:	-42.75			
17579	12/12/2017	-4.88	0.00	01/02/2018	Tax refund
	101-440-513-5730 Program supplies				
	17579 Total:	-4.88			
2584	12/11/2017	67.47	0.00	01/02/2018	Nylon, mud, patch, knife, paint, tray for Police Dept
	101-420-511-5730 Program supplies				
	2584 Total:	67.47			
2597	12/11/2017	22.27	0.00	01/02/2018	Hose and material to fix salt spreaders
	101-420-511-5730 Program supplies				
	2597 Total:	22.27			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
2737	12/13/2017	9.49	0.00	01/02/2018	Community Center batteries
205-571-515-5730 Program supplies					
	2737 Total:	9.49			
2796	12/14/2017	13.08	0.00	01/02/2018	Community Center molding & screws
205-571-515-5730 Program supplies					
	2796 Total:	13.08			
	Lowe's Business Acc/GEC	544.76			
Lund Industries					
LUNDIND					
89841	12/4/2017	150.00	0.00	01/02/2018	Repaired power supply on squad for siren
101-300-512-5480 R&M - vehicles					
	89841 Total:	150.00			
	Lund Industries Total:	150.00			
National Association of Social Workers					
NATIONAL					
NASW2018-EP	12/18/2017	225.00	0.00	01/02/2018	Membership renewal
101-300-512-5570 Professional associations					
	NASW2018-EP Total:	225.00			
	National Association of So	225.00			
Rottner, Bruce					
ROTTNEBR					
4533244	12/18/2017	90.98	0.00	01/02/2018	Phone Adapter for Chief's Squad
101-300-512-5730 Program supplies					
	4533244 Total:	90.98			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Rottner, Bruce Total:		90.98			
Sam's Club					
SAMSCL					
3189	12/8/2017	101.73	0.00	01/02/2018	Gingerbread House event supplies
205-504-515-5270 Purchased program services					
3189 Total:		101.73			
3198	12/14/2017	29.44	0.00	01/02/2018	Gingerbread House event supplies
205-504-515-5270 Purchased program services					
3198 Total:		29.44			
Sam's Club Total:		131.17			
Sunburst Sportswear Inc					
SUNBURST					
117457	12/8/2017	146.00	0.00	01/02/2018	Community Center Facility suervisor staff uniforms
205-571-515-5730 Program supplies					
117457 Total:		146.00			
Sunburst Sportswear Inc To		146.00			
Trans Union Corp					
TRANSU					
11700431	11/25/2017	60.00	0.00	01/02/2018	Credit check on applicants/monthly subscription fee
101-300-512-5399 Other professional services					
11700431 Total:		60.00			
Trans Union Corp Total:		60.00			

Accounts Payable

To Be Paid Proof List

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date
Account Number				Description
Amazon				
AMAZON				
447464596388	11/30/2017	18.99	0.00	01/02/2018
205-571-515-5730 Program supplies				Community Center/Advertisement supplies
447464596388	11/30/2017	31.96	0.00	01/02/2018
205-503-515-5730 Program supplies				Community Center/Replacement weights
447464596388	11/30/2017	23.67	0.00	01/02/2018
205-503-515-5730 Program supplies				Community Center/Replacement bands
	447464596388 Total:	74.62		
488977466367	11/28/2017	52.72	0.00	01/02/2018
205-500-515-5700 Office supplies				Office supplies
	488977466367 Total:	52.72		
	Amazon Total:	127.34		
Anderson Lock				
ANDERSON				
961495	12/11/2017	3.95	0.00	01/02/2018
101-420-511-5405 R&M - buildings				One key for Village Hall
	961495 Total:	3.95		
	Anderson Lock Total:	3.95		

Anderson Pest Solutions

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
ANDERP 4565440	12/1/2017	283.55	0.00	01/02/2018	Pest Control services for Village Depts - December
101-420-511-5405 R&M - buildings					
4565440 Total:		283.55			
Anderson Pest Solutions To		283.55			
ARRP Trucking & Hauling Inc ARRP					
ARRP-TP-010	12/8/2017	3,211.00	0.00	01/02/2018	13 loads of hauling dirt
660-620-519-5599 Other contractual					
ARRP-TP-010 Total:		3,211.00			
ARRP Trucking & Hauling		3,211.00			
Awogs AWOGS					
1916	12/7/2017	31.50	0.00	01/02/2018	Reflective face mask stickers
101-350-512-5665 Firefighting supplies					
1916 Total:		31.50			
Awogs Total:		31.50			
Batteries Plus LLC BATT					
890-106959	12/13/2017	69.95	0.00	01/02/2018	6V LED battery for PW emergency lights
101-420-511-5730 Program supplies					
890-106959 Total:		69.95			
Batteries Plus LLC Total:		69.95			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
C and N Lawnmower Repair CANDN 7520	12/13/2017	469.86	0.00	01/02/2018	Snow shovel, salt spreader, snow jet
101-420-511-5745 Small Tools					
7520 Total:		469.86			
C and N Lawnmower Repa		469.86			
Canon Solutions America, Inc CANONSOL 988958292	12/7/2017	376.16	0.00	01/02/2018	Maintenance for plotter - Dec
101-210-511-5440 R&M - office equipment					
988958292 Total:		376.16			
Canon Solutions America,		376.16			
Case Lots, Inc. CASELOTS 8365	12/11/2017	1,097.40	0.00	01/02/2018	Multi fold towels, dish soap
101-420-511-5730 Program supplies					
8365 Total:		1,097.40			
Case Lots, Inc. Total:		1,097.40			
Chano, Siraj CHANO 121917	12/19/2017	384.75	0.00	01/02/2018	Refund - Community Center rental
205-000-210-2430 Parks and Recs Control Deposi					
121917 Total:		384.75			
Chano, Siraj Total:		384.75			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Chicago Metropolitan Fire Prevention Co.					
CHGOMETR					
173024	11/27/2017	860.25	0.00	01/02/2018	Monthly wireless radio network maintenance/November
101-350-512-5411 R&M- Wireless Alarm Equipm					
173024 Total:		860.25			
Chicago Metropolitan Fire		860.25			
Douglas Truck Parts					
DOUGTK					
36221	11/22/2017	181.99	0.00	01/02/2018	Light tester for Shop
101-410-511-5730 Program supplies					
36221 Total:		181.99			
37051	12/15/2017	316.00	0.00	01/02/2018	Power probe, brake clean, battery corrosion preventant
101-410-511-5730 Program supplies					
37051 Total:		316.00			
37052	12/15/2017	122.88	0.00	01/02/2018	Filter
101-410-511-5730 Program supplies					
37052 Total:		122.88			
Douglas Truck Parts Total:		620.87			
Emcor Services Team Mechanical Inc					
EMCOR					
9300006695	12/15/2017	3,247.00	0.00	01/02/2018	IT room compressor replacement per quote
101-420-511-5405 R&M - buildings					
9300006695 Total:		3,247.00			
930006527	12/7/2017	2,093.00	0.00	01/02/2018	Replacement of condenser fan motor for Fire
101-420-511-5405 R&M - buildings					

Invoice Number	Invoice Date	Amount	Quantity	Payment Date
Account Number				Description

930006527 Total:	2,093.00			
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Emcor Services Team Mec	5,340.00			
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Equipment Management Co

EQUIPMEN

52398

12/6/2017

1,821.38

0.00

01/02/2018

101-350-512-5730 Program supplies

Gas meters, pouches, calibration kit

52398 Total:	1,821.38			
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Equipment Management C	1,821.38			
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First Advantage Occ Health Svcs

FIRSTADV

2517771711

11/30/2017

125.80

0.00

01/02/2018

101-200-511-5599 Other contractual

Drug test

2517771711 Total:	125.80			
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First Advantage Occ Health	125.80			
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Gatt Tool & Engineering

GATTTOOL

15426

11/30/2017

4,975.00

0.00

01/02/2018

217-000-561-5290 Maintenance of TIF Improvem

Street light adapters

15426 Total:	4,975.00			
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Gatt Tool & Engineering T	4,975.00			
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Gen Ki Karate

GENKI

121417

12/14/2017

609.00

0.00

01/02/2018

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
205-502-515-5270					Purchased program services
					Karate Fall Session 2
		121417 Total:			609.00
		Gen Ki Karate Total:			609.00
Golf Mill Ford					
GOLFMILL					
429494P	12/4/2017	34.22	0.00	01/02/2018	
101-300-512-5480					R&M - vehicles
					Valve assembly for Squad #214
		429494P Total:			34.22
429554P	12/4/2017	34.22	0.00	01/02/2018	
101-300-512-5480					R&M - vehicles
					Valve for Squad #214
		429554P Total:			34.22
430182P	12/13/2017	200.19	0.00	01/02/2018	
205-430-515-5480					R&M - vehicles
					Alternator for Truck #23
		430182P Total:			200.19
		Golf Mill Ford Total:			268.63
GOVTEMPSUSA LLC					
GOVTEMP					
2414137	12/7/2017	1,456.00	0.00	01/02/2018	
101-300-512-5599					Other contractual
					Inerim Police Chief hourly wages
		2414137 Total:			1,456.00
		GOVTEMPSUSA LLC To			1,456.00
iSolved					
ISOLVED					
90091804	12/10/2017	62.14	0.00	01/02/2018	

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
101-400-511-5440 R&M - office equipment					Monthly maintenance for time clock
90091804	12/10/2017	59.75	0.00	01/02/2018	
205-530-515-5730 Program supplies					Monthly maintenance for time clock
90091804	12/10/2017	52.58	0.00	01/02/2018	
205-560-515-5405 R&M - buildings					Monthly maintenance for time clock
	90091804 Total:	174.47			
	iSolved Total:	174.47			
Johnstone Supply					
JOHNSTON					
1039454-01	11/7/2017	207.50	0.00	01/02/2018	
101-420-511-5405 R&M - buildings					Thermostat for Fire Dept
	1039454-01 Total:	207.50			
	Johnstone Supply Total:	207.50			
Verizon Wireless					
VERIZON					
9797185157	12/1/2017	90.10	0.00	01/02/2018	
101-000-210-2650 Contractor Permits Payable					Cell phones and tablet data charges
	9797185157 Total:	90.10			
	Verizon Wireless Total:	90.10			
	Report Total:	22,604.46			

Accounts Payable

To Be Paid Proof List

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	
Account Number					Description
Klingspor KLINGSP0 3299487	12/4/2017	111.90	0.00	01/02/2018	
101-410-511-5730					Program supplies Abrasive sheets for Shop
		<hr/>			
		3299487 Total:			111.90
		<hr/>			
		Klingspor Total:			111.90
Lauria, Justin LAURIAJ 122017	12/20/2017	1,800.16	0.00	01/02/2018	
101-300-512-5065					Tuition reimbursement Educational assistance for five credit hours and books
		<hr/>			
		122017 Total:			1,800.16
		<hr/>			
		Lauria, Justin Total:			1,800.16
Lurvey Landscape Supply LURVEY S1-10034835	11/29/2017	401.00	0.00	01/02/2018	
101-420-511-5680					Landscaping supplies Mushroom compost for planting beds
		<hr/>			
		S1-10034835 Total:			401.00
		<hr/>			
		Lurvey Landscape Supply			401.00

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Maine-Niles Association of Special Recreation					
MNASR					
16-392	12/14/2017	27.55	0.00	01/02/2018	
205-580-515-5270	Purchased program services				Inclusion Services - December B 2017
16-392 Total:		27.55			
Maine-Niles Association o		27.55			
Marc Printing					
MARCP					
Cyc3&4	12/20/2017	795.24	0.00	01/02/2018	
660-610-519-5720	Postage				Mailing of Water bills
Cyc3&4 Total:		795.24			
Marc Printing Total:		795.24			
Menini Cartage Inc					
MENICRT					
48083	12/13/2017	2,302.48	0.00	01/02/2018	
660-620-519-5760	Street materials - Aggregate				Gravel
48083 Total:		2,302.48			
Menini Cartage Inc Total:		2,302.48			
Nu Toys Leisure Products					
NUTOYS					
46966	11/3/2017	154.80	0.00	01/02/2018	
205-430-515-5470	R&M - Recreation equipment				Kildare Park replacement parts due to damage
46966 Total:		154.80			
Nu Toys Leisure Products T		154.80			

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Account Number					
RCN Telecom Services of Illinois, LLC					
RCNTEL					
1001-0843800-01	11/30/2017	1,131.00	0.00	01/02/2018	Access point at Skokie - November
215-000-512-5580 Telephone					
1001-0843800-01 Total:		1,131.00			
1001-0843825-01	11/30/2017	1,131.00	0.00	01/02/2018	Access point at Skokie - November
215-000-512-5580 Telephone					
1001-0843825-01 Total:		1,131.00			
RCN Telecom Services of I		2,262.00			
Sam's Club					
SAMSCCL					
/000954	12/15/2017	115.40	0.00	01/02/2018	Club Kid snacks
205-520-515-5645 Concessions & food					
/000954 Total:		115.40			
Sam's Club Total:		115.40			
Sherrill Inc.					
SHERILL					
INV-397026	12/6/2017	716.64	0.00	01/02/2018	Safety vest, safety glasses, ear muffs for Forestry
101-440-513-5730 Program supplies					
INV-397026 Total:		716.64			
Sherrill Inc. Total:		716.64			
Standard Equipment Company					
STANDARD					
P02623	11/9/2017	1,111.32	0.00	01/02/2018	Strips, gage for Sweeper #2
101-440-513-5480 R&M - vehicles					

Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Description
Account Number					
	3721260-0 Total:	4.72			
3721261-0	12/8/2017	262.90	0.00	01/02/2018	Office supplies
101-350-512-5700					Office supplies
	3721261-0 Total:	262.90			
3721262-0	12/8/2017	84.32	0.00	01/02/2018	Office supplies
101-200-511-5700					Office supplies
	3721262-0 Total:	84.32			
3721263-0	12/8/2017	170.78	0.00	01/02/2018	Office supplies
101-400-511-5700					Office supplies
	3721263-0 Total:	170.78			
3729062-0	12/14/2017	99.06	0.00	01/02/2018	Office supplies
101-300-512-5730					Program supplies
	3729062-0 Total:	99.06			
	Warehouse Direct Total:	847.71			
Westmont Auto Parts					
WESTMONT					
17565	11/2/2017	192.45	0.00	01/02/2018	Brake pads, rotors, shoes and drums for Squad #31
101-300-512-5480					R&M - vehicles
	17565 Total:	192.45			
17891	12/8/2017	451.44	0.00	01/02/2018	Brake pads and rotors for Squad #32
101-300-512-5480					R&M - vehicles
	17891 Total:	451.44			
17892	12/8/2017	200.88	0.00	01/02/2018	Oil filter for PD vehicles
101-300-512-5480					R&M - vehicles

Request For Board Action

REFERRED TO BOARD: January 2, 2018

AGENDA ITEM NO: 1

ORIGINATING DEPARTMENT: Village Clerk's Office

SUBJECT: Approval of a Resolution Regarding the Release of Certain Written Minutes and the Destruction of Verbatim Records of Certain Closed Meetings of the Village Board

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Twice-annually the Village Board conducts a review of all Closed Session Meetings written minutes. On December 19, 2017 the Village Board met during a Closed Session Meeting to consider whether to authorize the erasure of audiotapes of certain Closed Session Meetings as well as to review and discuss whether certain Closed Session Meeting minutes should be released or remain confidential. It was determined that the need for confidentiality remains for written minutes of Closed Session Meetings for which public inspection has not been authorized previously. It was also determined by the Village Board in Closed Session Meeting to destroy the audiotaped verbatim records of those Closed Meetings occurring prior to July 2, 2016.

The attached Resolution reflects the need for confidentiality for written minutes of Closed Meetings and for the destruction of the audiotaped verbatim records of Closed Meetings prior to July 2, 2016.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

1. Proposed Resolution

RECOMMENDED MOTION:

Move to approve the Resolution regarding the release of certain written minutes and the destruction of verbatim records of certain closed meetings of the Village Board.

VILLAGE OF LINCOLNWOOD

RESOLUTION NO. R2018-_____

**A RESOLUTION CONCERNING THE RELEASE OF CERTAIN WRITTEN MINUTES
AND THE DESTRUCTION OF VERBATIM RECORDS OF CERTAIN CLOSED
MEETINGS OF THE VILLAGE BOARD OF TRUSTEES**

WHEREAS, the Village of Lincolnwood is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.* ("**Act**"), since January 1, 2004, the Village has maintained audiotaped verbatim records, and has approved written minutes, of all meetings of the Village Board of Trustees and of the Village Board Committee of the Whole that were closed to the public pursuant to the Act (collectively, the "**Closed Meetings**"); and

WHEREAS, pursuant to Section 2.06(c) of the Act, the President and Board of Trustees have determined that it will serve and be in the best interests of the Village to destroy the audiotaped verbatim records of those Closed Meetings occurring prior to July 2, 2016; and

WHEREAS, pursuant to Section 2.06(d) of the Act, the President and Board of Trustees have conducted its twice-annual review of all written minutes of the Closed Meetings; and

WHEREAS, the President and Board of Trustees have determined that the need for confidentiality remains for written minutes of Closed Meetings for which public inspection has not been authorized previously;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. DETERMINATION OF CONFIDENTIALITY. The President and Board of Trustees have determined that a need for confidentiality still exists as to the written minutes of all Closed Meetings for which the Village has not previously authorized public inspection.

SECTION 3. DESTRUCTION OF VERBATIM RECORDINGS. The President and Board of Trustees hereby authorize and direct the Village Clerk to destroy all audiotaped verbatim records of all Closed Sessions occurring prior to July 2, 2016.

SECTION 4. EFFECTIVE DATE. This Resolution will be in full force and effect from and after its passage and in the manner provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this ____ day of January, 2018.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this _____ day of January, 2018.

Barry I. Bass, President
Village of Lincolnwood, Cook County, Illinois

ATTESTED and FILED in my office this
_____ day of _____, 2018

Beryl Herman, Village Clerk
Village of Lincolnwood, Cook County, Illinois

#9291282_v5

Request for Board Action

REFERRED TO BOARD: January 2, 2018

AGENDA ITEM NO: 2

ORIGINATING DEPARTMENT: Village Manager's Office

SUBJECT: Approval of a Resolution Amending the Village's Anti-Harassment Policy

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

On October 21, 2014, the Village Board approved a comprehensive revision to the Personnel Policy Manual, which included the Village's anti-harassment policy. Recently, the State of Illinois passed Public Act 100-0554 which amended the State Officials and Employees Ethics Act, including Section 70-5, which pertains to government entities. The Act mandates all governmental units adopt, within 60 days after the effective date of November 16, 2017, which is January 15, 2018, an ordinance or resolution establishing a policy prohibiting sexual harassment. While the Village has for several years maintained policies prohibiting sexual harassment, the new law has requirements that necessitate an update to the Village's anti-harassment policy. As such, the Village has worked with the Village's Labor Counsel, Clark Baird Smith, to draft a revised anti-harassment policy for the Personnel Policy Manual that includes the mandated language provided by the State of Illinois.

Once approved, the revised anti-harassment policy will be distributed to staff members and will include training sessions with Village personnel on the updated policy. Attached is the red-line and final version of the proposed changes to the Village's anti-harassment policy.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

1. Proposed Resolution
2. Redline Version of Anti-Harassment Policy
3. Final Version of Anti-Harassment Policy

RECOMMENDED MOTION:

Move to approve a Resolution amending the Village's Anti-Harassment Policy.

VILLAGE OF LINCOLNWOOD

RESOLUTION NO. R2018-_____

A RESOLUTION AMENDING THE VILLAGE'S ANTI-HARASSMENT POLICY

WHEREAS, on November 16, 2017, the Governor of the State of Illinois signed into law Public Act 100-0554, which Public Act, among other things, amends the State Officials and Employees Ethics Act to require each Illinois unit of local government to establish a policy to prohibit sexual harassment; and

WHEREAS, on October 21, 2014, the Village President and Board of Trustees adopted Resolution No. R2014-1818, amending the Village's Personnel Policy Manual to include, among other things, an anti-sexual harassment policy ("*Anti-Harassment Policy*"); and

WHEREAS, the existing Anti-Harassment Policy includes most, but not all, of the provisions required by Public Act 100-554; and

WHEREAS, the Village President and Board of Trustees now desire to amend the Anti-Harassment Policy to comply with all requirements of Public Act 100-0554; and

WHEREAS, the Village President and Board of Trustees have determined that it will serve and be in the best interest of the Village to amend the Anti-Harassment Policy as set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. AMENDMENT OF ANTI-HARASSMENT POLICY. The President and Board of Trustees hereby amend the Anti-Harassment Policy, and adopt the amended Anti-Harassment Policy in the form attached to this Resolution as **Exhibit A**.

SECTION 3. EFFECTIVE DATE. This Resolution will be in full force and effect from and after its passage and approval as provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this ____ day of January, 2018.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this _____ day of January, 2018.

Barry I. Bass, President
Village of Lincolnwood, Cook County, Illinois

ATTESTED and FILED in my office this
_____ day of _____, 2018

Beryl Herman, Village Clerk
Village of Lincolnwood, Cook County, Illinois

EXHIBIT A

Amended Personnel Manual

3 HARASSMENT IN THE WORKPLACE.

The Village ~~intends~~ is committed to maintaining a professional work environment ~~for all employees that is free from discrimination, harassment, retaliation and similar offensive or inappropriate conduct.~~ ~~Harassment in the workplace is unacceptable conduct and will not be tolerated.~~ Although some conduct may not rise to the level of unlawful harassment from a legal perspective, the Village wants to protect its employees from such conduct and prevent conduct from becoming severe or pervasive enough to alter the conditions of an employee's employment, create a hostile working environment, or result in a tangible adverse employment action. Accordingly, the Village has adopted a zero-tolerance policy against harassment. This policy forbids an employee, elected official, vendor, client, customer or other person, from engaging in such conduct. It is the responsibility of each individual employee to refrain from harassment or discrimination of other employees. It is the right of each individual employee to work in an environment free from harassment.

3.1 Statement of Policy: It is the right of each individual employee to work in an environment free from harassment. ~~The Village is committed to providing a workplace that is free from all forms of discrimination, including harassment and sexual harassment.~~

3.1.1 This policy prohibits harassment or other workplace discrimination based on a person's protected status under state and federal law. This includes conduct, whether verbal, physical, or visual, that denigrates or shows hostility or aversion toward an individual based upon that person's race, gender, sexual orientation, age, color, religious affiliation, national origin, disability, ancestry, marital status, military status, or other legally protected status. The Village will not tolerate harassing conduct that has the purpose or effect of interfering unreasonably with an individual's work performance, affecting an individual's tangible job benefits, or creating an intimidating, hostile, or offensive work environment.

3.1.2 The harassing conduct forbidden by this policy specifically includes, but is not limited to:

3.1.2.1 Epithets, slurs, negative stereotyping, or intimidating acts that are based on a person's protected status;

3.1.2.2 Written or graphic material circulated, available on the Village's computer system, or posted or distributed within the workplace that shows hostility toward a person or persons because of their protected status;

3.1.2.3 Jokes, kidding, teasing, or practical jokes directed at a person based on his or her protected status;

3.1.2.4 Any employee mocking or belittling any other employee in such a manner that has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment; and

3.1.2.5 Retaliation against another employee for reporting acts of harassing conduct.

3.1.3 The Village discourages any such conduct in the workplace, and this policy prohibits

harassment based on an individual's protected status, even if it does not rise to the level of a legal violation.

3.2 -Sexual Harassment: Sexual harassment includes any harassing conduct based on gender, regardless of whether the conduct is sexual in nature. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or different genders.

3.2.1 Unwelcome sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term of employment, (2) submission to or rejection of the conduct is used as a basis for an employment decision affecting an individual (tangible employment action), or (3) conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

3.2.2 This policy forbids harassment based on gender regardless of whether it rises to the level of a legal violation.

3.2.3 The Village considers the following conduct to represent some of the types of sexually harassing conduct that violate the Harassment Policy:

3.2.3.1 Preferential treatment and promises of a preferential treatment to an employee for submitting to sexual conduct;

3.2.3.2 Verbal harassment, such as sexual innuendoes, suggestive comments, insults, comments on sexual preference, humor and jokes about sex, anatomy, or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements of a sexual nature about other employees, even outside of their presence

3.2.3.3 Non-verbal harassment, such as suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls," "smacking" or "kissing" noises, or winking

3.2.3.4 Visual harassment, such as posters, signs, pin-up, slogans of a sexual nature, overt display of pornographic photographs, or literature in the workplace

3.2.3.5 Physical harassment, such as: inappropriate touching or feeling of another person, unwelcome hugging or kissing, patting, pinching, grabbing, brushing against another person's the body, coerced sexual contact or intercourse, or sexual assault or sexual battery.

3.3 Compliance with Policy: Everyone at the Village can help assure that this workplace is free from prohibited discrimination or harassment. Everyone is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment under this policy. No employee or elected/appointed official is exempt from the requirements of this policy.

3.3.1.1 The Village expects employees to inform others in the workplace whenever their conduct is unwelcome, offensive or inappropriate.

3.3.1.2 In addition, employees ~~must~~may come forward with complaints about alleged problems or violations of this policy at any time through the procedure below. Employees are expected to come forward promptly and report any problems pursuant to this policy before the alleged offending behavior becomes severe or pervasive. Prompt reporting is very important so that the Village can take action to stop the conduct before it is repeated.

3.3.1.3 Complaints need not be limited to someone who was the target of the alleged offending conduct. Anyone who has observed an alleged violation of the policy is also encouraged to report such conduct. ~~No employee or elected/appointed official is exempt from the requirements of this policy.~~

3.4 -Internal Complaint Procedure.

3.4.1 If an employee or other person covered by this policy experiences or witnesses any conduct that he or she believes is inconsistent with this policy, the Village expects the person to promptly notify Human Resources, the Village Manager, an employee's Supervisor, or Department Head. This may be done in writing or orally. Any Supervisor or Department Head who receives a complaint or observes conduct which may violate this policy, must immediately report the complaint or observation to Human Resources, or the Village Manager. This policy does not require reporting harassment or discrimination to any individual who is creating the harassment or discrimination.

3.4.2 Persons who believe they have been subjected or exposed to discrimination or harassment prohibited by this policy have the right to have any such activity terminated immediately. The Village may put reasonable interim measures in place, such as a leave of absence or a transfer, while the investigation takes place.

3.4.3— The Village Manager or his/her designee will investigate all complaints of conduct that is inconsistent with this policy, promptly and thoroughly. This investigation will may include, but is not limited to, interviewing the complaining party, Supervisors, and any other personnel, as required, to obtain sufficient factual information upon which to make a determination. In all cases the investigation will be conducted by a person or persons who are not involved in the alleged prohibited conduct.

3.4.4 The Village wishes to create a safe environment in which individuals are not afraid to discuss concerns and complaints, or to seek general information about discrimination, harassment, and retaliation. The Village recognizes that individuals may be concerned about the confidentiality of information they share, and it will strive to preserve confidentiality to the extent possible. The Village is legally obligated to investigate and correct conduct that violates this policy once it is informed that discrimination, harassment or retaliation has occurred or may be occurring, and full confidentiality cannot be guaranteed.
~~No person making a complaint of harassment, assisting another employee in making a report, cooperating in an investigation, or filing a claim of harassment with an external agency will be retaliated against even if a complaint made in good faith is not substantiated. Any employee of the Village who retaliates against another employee for utilizing the procedures in this policy will be subject to discipline, up to and including termination.~~

~~1.1.1 If the investigator concludes that no sexually harassing conduct can be substantiated, all parties, including the complaining party, will be notified and the investigation closed.~~

~~1.1.2 At the conclusion of the investigative procedure, if the Village Manager's designee has investigated, he/she will report his/her findings to the Village Manager, along with a recommendation. The Village Manager will then take action based on the investigation.~~

3.4.5 If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then the Village will take corrective action regardless of the positions of the parties involved. While corrective action is intended to end inappropriate conduct in the workplace, including discipline up to and including termination, as is may be appropriate under the circumstances, regardless of the job positions of the parties involved. The Village may discipline an employee for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of policy. If the person who engaged in harassment is not an employee of the Village, then the Village will take whatever corrective action is reasonable and appropriate under the circumstances.

3.5 External Complaint Procedures.

3.5.1 While the Village hopes that an incident of sexual harassment can be resolved through the internal complaint procedures, all employees have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). A charge with IDHR must be filed within 180 days of the incident of sexual harassment. A charge with the EEOC must be filed within 300 days of the incident. Employees can contact these agencies at:

<u>Illinois Department of Human Rights</u>	<u>Equal Employment Opportunity Commission</u>
<u>100 W. Randolph St., Suite 10-100</u>	<u>500 West Madison Street, Ste. 2800</u>
<u>Chicago, IL 60601</u>	<u>Chicago, Illinois 60661-2511</u>
<u>(312) 814-6200</u>	<u>(312) 353-2713</u>

3.6 False and/or Frivolous Complaints: It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. ~~Given the seriousness of the consequences to the accused person, a~~ false and frivolous charge is a severe offense that can itself result in disciplinary action to the person making such false and/or frivolous charge.

3.7 Retaliation: The Village has a strict anti-retaliation policy and all employees should be advised that retaliation will not be tolerated against any person who has filed a complaint in regards to harassment, discrimination or retaliation; or who assists or cooperates in an investigation of a complaint by someone else, whether internally or with an external agency; or who files a charge of

discrimination or harassment or retaliation; or who otherwise provides information in a proceeding, including in a court, administrative or legislative hearing, related to violations of discrimination or harassment laws.. Examples of the types of retaliation that are prohibited include intimidation; discrimination; verbal or physical abuse; adverse actions with respect to pay, work assignments, and other terms of employment; termination of employment; or threats of any such actions. Retaliation will result in severe discipline, up to and including termination. Anyone experiencing or witnessing any conduct he or she believes to be retaliatory should immediately report such conduct using the complaint process set forth in above.

3 HARASSMENT IN THE WORKPLACE.

The Village is committed to maintaining a professional work environment that is free from discrimination, harassment, retaliation and similar offensive or inappropriate conduct. Although some conduct may not rise to the level of unlawful harassment from a legal perspective, the Village wants to protect its employees from such conduct and prevent conduct from becoming severe or pervasive enough to alter the conditions of an employee's employment, create a hostile working environment, or result in a tangible adverse employment action. Accordingly, the Village has adopted a zero-tolerance policy against harassment. This policy forbids an employee, elected official, vendor, client, customer or other person, from engaging in such conduct.

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3.1.2.3 Jokes, kidding, teasing, or practical jokes directed at a person based on his or her protected status;

3.1.2.4 Any employee mocking or belittling any other employee in such a manner that has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment; and

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3.2.3.4 Visual harassment, such as posters, signs, pin-up, slogans of a sexual nature, overt display of pornographic photographs, or literature in the workplace

3.2.3.5 Physical harassment, such as: inappropriate touching or feeling of another person, unwelcome hugging or kissing, patting, pinching, grabbing, brushing against another person's the body, coerced sexual contact or intercourse, or sexual assault or sexual battery.

3.3 Compliance with Policy: Everyone at the Village can help assure that this workplace is free from prohibited discrimination or harassment. Everyone is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment under this policy. No employee or elected/appointed official is exempt from the requirements of this policy.

3.3.1.1 The Village expects employees to inform others in the workplace whenever their conduct is unwelcome, offensive or inappropriate.

3.3.1.2 In addition, employees may come forward with complaints about alleged problems or violations of this policy at any time through the procedure below. Employees are expected to come forward promptly and report any problems pursuant to this policy before the alleged offending behavior becomes severe or pervasive.

Prompt reporting is very important so that the Village can take action to stop the conduct before it is repeated.

3.3.1.3 Complaints need not be limited to someone who was the target of the alleged offending conduct. Anyone who has observed an alleged violation of the policy is also encouraged to report such conduct.

3.4 Internal Complaint Procedure.

3.4.1 If an employee or other person covered by this policy experiences or witnesses any conduct that he or she believes is inconsistent with this policy, the Village expects the person to promptly notify Human Resources, the Village Manager, an employee's Supervisor, or Department Head. This may be done in writing or orally. Any Supervisor or Department Head who receives a complaint or observes conduct which may violate this policy, must immediately report the complaint or observation to Human Resources, or the Village Manager. This policy does not require reporting harassment or discrimination to any individual who is creating the harassment or discrimination.

3.4.2 Persons who believe they have been subjected or exposed to discrimination or harassment prohibited by this policy have the right to have any such activity terminated immediately. The Village may put reasonable interim measures in place, such as a leave of absence or a transfer, while the investigation takes place.

3.4.3 The Village Manager or his/her designee will investigate all complaints of conduct that is inconsistent with this policy, promptly and thoroughly. This investigation may include, but is not limited to, interviewing the complaining party, Supervisors, and any other personnel, as required, to obtain sufficient factual information upon which to make a determination. In all cases the investigation will be conducted by a person or persons who are not involved in the alleged prohibited conduct.

3.4.4 The Village wishes to create a safe environment in which individuals are not afraid to discuss concerns and complaints, or to seek general information about discrimination, harassment, and retaliation. The Village recognizes that individuals may be concerned about the confidentiality of information they share, and it will strive to preserve confidentiality to the extent possible. The Village is legally obligated to investigate and correct conduct that violates this policy once it is informed that discrimination, harassment or retaliation has occurred or may be occurring, and full confidentiality cannot be guaranteed.

3.4.5 If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then the Village will take corrective action regardless of the positions of the parties involved. While corrective action is intended to end inappropriate conduct in the workplace, discipline up to and including termination may be appropriate under the circumstances.. The Village may discipline an employee for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of policy. If the person who engaged in

harassment is not an employee of the Village, then the Village will take whatever corrective action is reasonable and appropriate under the circumstances.

3.5 External Complaint Procedures.

3.5.1 While the Village hopes that an incident of sexual harassment can be resolved through the internal complaint procedures, all employees have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). A charge with IDHR must be filed within 180 days of the incident of sexual harassment. A charge with the EEOC must be filed within 300 days of the incident. Employees can contact these agencies at:

Illinois Department of Human Rights
100 W. Randolph St., Suite 10-100
Chicago, IL 60601
(312) 814-6200

Equal Employment Opportunity Commission
500 West Madison Street, Ste. 2800
Chicago, Illinois 60661-2511
(312) 353-2713

3.6 False and/or Frivolous Complaints: It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. It is critical in establishing a workplace free of harassment that an individual who experiences or witnesses an incident perceived as being harassing has access to a mechanism for reporting such incidents. False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. A false and frivolous charge is a severe offense that can itself result in disciplinary action to the person making such false and/or frivolous charge.

3.7 Retaliation: The Village has a strict anti-retaliation policy and all employees should be advised that retaliation will not be tolerated against any person who has filed a complaint in regards to harassment, discrimination or retaliation; or who assists or cooperates in an investigation of a complaint by someone else, whether internally or with an external agency; or who files a charge of discrimination or harassment or retaliation; or who otherwise provides information in a proceeding, including in a court, administrative or legislative hearing, related to violations of discrimination or harassment laws.. Examples of the types of retaliation that are prohibited include intimidation; discrimination; verbal or physical abuse; adverse actions with respect to pay, work assignments, and other terms of employment; termination of employment; or threats of any such actions. Retaliation will result in severe discipline, up to and including termination. Anyone experiencing or witnessing any conduct he or she believes to be retaliatory should immediately report such conduct using the complaint process set forth in above.

Request For Board Action

REFERRED TO BOARD: January 2, 2018

AGENDA ITEM NO: 3

ORIGINATING DEPARTMENT: Public Works

SUBJECT: Approval of a Resolution Concerning Construction on State Highways in Accordance with State Specifications for a Period of Two Calendar Years

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Illinois statute requires that any person, firm, or corporation desiring to do work on state maintained rights-of-way (ROW) obtain a permit from the Illinois Department of Transportation (IDOT). This includes any emergency work, such as broken water mains or collapsed sewer.

In 2015, the Village Board approved a Resolution to perform construction on state highways in accordance with state specifications for a period of two calendar years. The Resolution expires at the end of 2017. In order to continue to expedite the issuance of permits to the Village during the next two calendar years, IDOT recommends approving this Resolution. If approved, IDOT will maintain a copy of the Resolution on file.

In addition to permit requirements, IDOT also requires a surety bond with each permit application to ensure that all work is completed in accordance with state specifications and the ROW is properly restored. For municipalities, a Resolution is acceptable in lieu of a surety bond.

Staff has consulted with the Village Engineer concerning this matter and he has recommended the Village adopt the proposed Resolution.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

1. Proposed Resolution

RECOMMENDED MOTION:

Move to approve a Resolution concerning construction on state highways in accordance with state specifications for a period of two years.

VILLAGE OF LINCOLNWOOD

RESOLUTION NO. R2018-_____

**A RESOLUTION CONCERNING CONSTRUCTION ON
STATE HIGHWAYS IN ACCORDANCE WITH STATE SPECIFICATIONS FOR A
PERIOD OF TWO YEARS**

WHEREAS, the Village of Lincolnwood ("*Village*") desires to undertake, in the years of 2018 and 2019, the location, construction, operation and maintenance of driveways and street returns, water mains, sanitary and storm sewers, street lights, traffic signals, sidewalks, landscaping, etc., on State highways, within the Village, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois ("*Department*"); and

WHEREAS, an individual working permit must be obtained from the Department prior to any of the aforesaid installations being constructed either by the Village or by a private person or firm under contract and supervision of the Village;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT OF THE BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. COMPLIANCE WITH DEPARTMENT PERMITS; HOLD HARMLESS. The Village hereby pledges in good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the Department, and to hold the State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person or property due to accident or otherwise by reason of the work which is to be performed under the provision of said permit.

SECTION 3. AUTHORIZATION. All authorized officials of the Village are hereby instructed and authorized to sign said working permit on behalf of the Village.

SECTION 4. EFFECTIVE DATE. This Resolution will be in full force and effect from and after its passage and approval as provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this ____ day of _____, 2018.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this ____ day of _____, 2018.

Barry I. Bass, President
Village of Lincolnwood, Cook County,
Illinois

ATTESTED and FILED in my office this
____ day of _____, 2018.

Beryl Herman, Village Clerk
Village of Lincolnwood, Cook County,
Illinois

#37716706_v1

Request For Board Action

REFERRED TO BOARD: January 2, 2018

AGENDA ITEM NO: 4

ORIGINATING DEPARTMENT: Community Development

SUBJECT: Consideration of an Ordinance Repealing Ordinance No. 1033 (Adopted May 19, 1955), and Consideration of a Recommendation by the Traffic Commission to Adopt an Ordinance Vacating a Portion of the Alley on the Block Bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue, and North Drake Avenue

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

On November 17, 2017, the Village of Lincolnwood received an application for an alley vacation from Bais Chaim Dovid East, a potential purchaser of 6424 North Drake Avenue. The applicant is seeking vacation of a portion of the north-south alley on the block bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue, and North Drake Avenue. The applicant's intent is to procure the alley adjacent to a portion of 6424 North Drake Avenue for the purposes of integrating it into a redevelopment lot.

Prior to receipt of this formal request, staff conducted research that identified discrepancies in data held by the Village related to the existence of the north-south alley on the subject block. The known facts resulting from that research are as follows:

- In May, 1955, the Village Board adopted Ordinance No. 1033 (see Attachment #2) that vacated the north-south alley. However, the ordinance was never officially recorded, and Village records do not include the plat of vacation referenced in Section 2 of that ordinance;
- A number of factors - including Plats of Survey for other parcels along the supposedly vacated alley, Cook County Assessor's Office records, non-payment of taxes by adjoining property owners, and Village maintenance of the alley - would indicate that neither the Village of Lincolnwood nor adjacent private property owners recognize the formal vacation of the alley as indicated in the 1955 Ordinance; and
- The adoption of the Ordinance No. 2003-2587, related to the development of the existing bank at the south end of the alley, resulted in the block and alley configuration as it currently is today (see Attachment #3).

REQUESTED APPROVAL #1 - REPEAL OF ORDINANCE NO. 1033 (ADOPTED MAY 19, 1955):

Based on the facts stated above, Village staff and the Village attorney recommend adoption of an Ordinance (see Attachment #1) repealing Ordinance No. 1033 (adopted May 19, 1955). This would clarify the status of what is currently serving as a public alley as a publicly-held right-of-way and would allow the Village to then determine appropriate actions related to either the maintenance or vacation of the alley in different portions of the block.

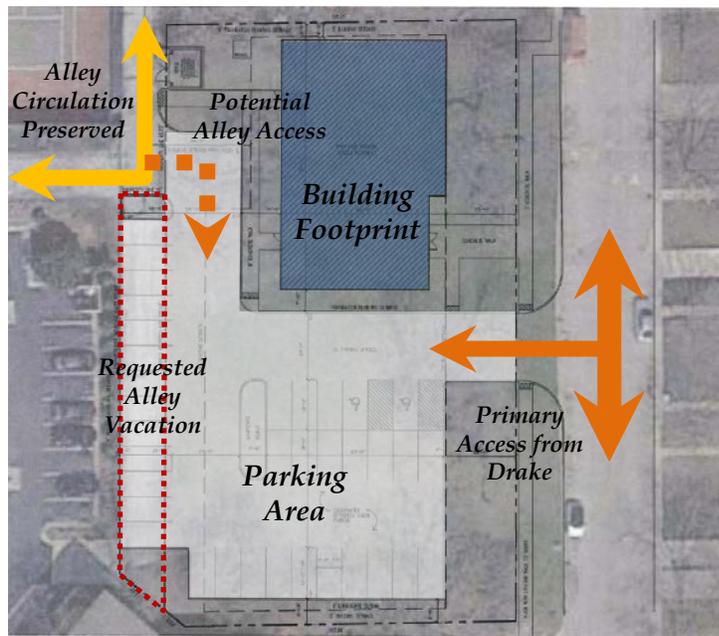
SUMMARY OF PETITIONER REQUEST TO VACATE A PORTION OF THE ALLEY:

As previously stated, on November 17, 2017, the Village received an application (see Attachment #5) for an alley vacation from Bais Chaim Dovid East (Petitioner), a potential purchaser of 6424 North Drake Avenue. Their request is based on the desire to integrate the 16-foot-wide portion of the alley abutting a portion of 6424 North Drake Avenue into a redevelopment plan for the property. Acquisition of this portion of the alley would allow the Petitioner to develop the resulting property in a manner that is suitable to their proposed use and compliant with Village zoning regulations.

As the result of input received from the Village Board and public as part of the December 19, 2017 Committee of the Whole meeting, the Petitioner has revised the concept plan for the proposed development. The revised concept plan preserves two points of alley egress on the block. The proposed development would include a religious use permitted, by right, in the R-4 Zoning District, with one curb cut off North Drake Avenue, and adequate on-site parking to meet zoning requirements. The revised concept illustrated below shows access to the alley from the rear parking area of the proposed development. However, the concept would work if alley access were not provided, should that be the preference of the Village Board. It should be noted that the Petitioner intends to present another revised concept at the January 2, 2018 Village Board meeting. It is anticipated that that revised plan will include minor adjustments to the site plan to make it fully compliant with zoning regulations, but will still maintain two points of egress (one into the alley and one onto Drake Avenue).



Requested Alley Vacation



Proposed Development Schematic Site Plan

Related Impacts

The revised concept plan presented in this report maintains the two existing points of egress from the alleys for residential properties within the subject block – one north to Arthur Avenue, and one west to Central Park Avenue. The bank immediately west of the requested area of alley vacation currently has access to the alley for secondary circulation. However, this is not considered by staff as a critical means of access to the bank’s parking lot. Approval of the requested alley vacation would leave two formal entrances to the bank parking lot – one off North Lincoln Avenue and one off North Central Park Avenue. In staff’s opinion, the portion of the north-south public alley requested for vacation is not essential to the function of the bank parking lot.

The revised concept plan provides for access between the parking lot of the proposed development and the portion of the existing alley to remain. This could alleviate concerns related to higher traffic volumes on Drake Avenue caused by having the only point of egress to the front of the property.

Traffic Commission Public Hearing

The Traffic Commission held a Public Hearing regarding the Petitioner's request on December 14, 2017. Commissioners received a staff presentation of the requested alley vacation and had discussion regarding its traffic and public safety impacts. Ultimately, the Commission found no significant detrimental impacts and generally supported the request.

During public comment, two residents spoke to concerns related to traffic and circulation. One resident cited concerns related to the use of an east-west alley on an adjacent block for local circulation, and expressed concerns that the development of the subject property would increase the use of the alley for local traffic. Another resident stated concerns about having only one point of egress from the alley should the request be approved. He stated that landscaping companies, utilities, or the Village often park trucks at the end of the alley, and that would essentially block access to and from Arthur Avenue.

Traffic Commission Recommendation

The Traffic Commission found the requested alley vacation to have minimal impacts on the overall function of the block and surrounding streets. By a vote of 5-0, the Traffic Commission unanimously recommends approval of the request.

It should be noted that the Traffic Commission reviewed a previous concept plan. However, the revised concept plan presented in this report does not result in any new detrimental impacts not discussed by the Traffic Commission.

REQUESTED APPROVAL #2 - APPROVAL OF A REQUEST FOR ALLEY VACATION:

Based on the findings of Village staff and the Traffic Commission, it is recommended that the Village Board adopt an Ordinance approving the vacation of the southern portion of the alley on the block bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue, and North Drake Avenue, with the following conditions:

- The vacation of the requested alley and any development plans submitted by the applicant for the property at 6424 North Drake Avenue (which would presumably include the vacated alley segment) include an easement of 16 feet in width along the west edge of the property to accommodate access to, and the maintenance of, existing utilities; and
- The Village be compensated in the amount of \$56,900, which is the appraised market value of the vacated portion of the alley as described in the "Financial Impact" section below.

FINANCIAL IMPACT:

It is standard practice for the Village to require fair market value compensation for a public alley when vacation of that alley is requested by a Petitioner for the purposes of development or private access. According to an appraisal prepared by MaRous & Company on December 5, 2017 (see Attachment #9), the fair market value of the alley requested for vacation is \$25 per square foot. With an area of 2,276-square feet, the fair market value of the alley requested for vacation is \$56,900. The vacation of the alley and transfer of the property to the Petitioner should be contingent upon payment of this amount.

DOCUMENTS ATTACHED:

1. Proposed Ordinance Repealing Ordinance #1033 (Adopted May 19, 1955)
2. Ordinance #1033 (Adopted May 19, 1955)
3. 2003 Plat of Vacation for the Development of 6401 North Lincoln Avenue
4. Proposed Ordinance for the Requested Alley Vacation
5. November 3, 2017 Petitioner Letter of Request to the Village Board
6. Petitioner Request for Alley Vacation
7. December 14, 2017 Traffic Commission Staff Report
8. Revised Plat of Vacation
9. December 5, 2017 Appraisal Report by MaRous & Company
10. PowerPoint Presentation for January 2, 2018 Village Board Meeting

RECOMMENDED MOTION:

Move to approve an Ordinance repealing Ordinance No. 1033 (adopted May 19, 1955), and:

Move to approve an Ordinance vacating a portion of the alley on the block bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue, and North Drake Avenue.

VILLAGE OF LINCOLNWOOD

ORDINANCE NO. 2018-_____

AN ORDINANCE REPEALING ORDINANCE NO. 1033

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LINCOLNWOOD
THIS ____ DAY OF _____, 2018.

Published in pamphlet form
by the authority of the
President and Board of Trustees
of the Village of Lincolnwood,
Cook County, Illinois this
_____ day of _____, 2018

Village Clerk

AN ORDINANCE REPEALING ORDINANCE NO. 1033

WHEREAS, the Village of Lincolnwood is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, the Village is the owner of, and has jurisdiction over, that certain north-south alley right-of-way that is located between the Central Park Avenue and Drake Avenue rights-of-way, with its northern terminus being the Arthur Avenue right-of-way, and its southern terminus being the parcel of real property commonly known as 6401 North Lincoln Avenue (“*Alley*”); and

WHEREAS, on May 19, 1955, the Village President and Board of Trustees adopted Ordinance No. 1033, approving a plat of vacation for the Alley; and

WHEREAS, pursuant to Section 2 of Ordinance No. 1033, Ordinance No. 1033 was to have been recorded in the Recorder’s Office of Cook County; and

WHEREAS, pursuant to Illinois state statute in effect on May 19, 1955, and still in effect today, title to a vacated public right-of-way vests in the then-owners of the land abutting the vacated right-of-way, to the centerline thereof and the vacated property becomes subject to property taxation; and

WHEREAS, Ordinance No. 1033 was never recorded in the Recorder’s Office of Cook County; and

WHEREAS, there is no evidence that, at any time since May 19, 1955, any of the owners of the land abutting the Alley took any actions to establish or claim ownership over any portion of the Alley; and

WHEREAS, there is no evidence that any property taxes have been paid for any portion of the Alley since May 19, 1955; and

WHEREAS, the Village President and Board of Trustees have determined that, due to the lack of any action over the past 62 years to implement Ordinance No. 1033, it is appropriate and in the best interests of the Village and its residents to repeal Ordinance No. 1033 in its entirety;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. REPEAL OF ORDINANCE NO. 1033. Village Ordinance No. 1033, adopted on May 19, 1955, is hereby repealed in its entirety, and shall have no force or effect

from and after the effective date of this Ordinance. Consequently, the Alley is a public right-of-way.

SECTION 3. FUTURE VACATION. Nothing in this Ordinance shall be deemed or interpreted as preventing the Village from considering or acting on a request to vacate all or any portion of the Alley.

SECTION 4. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and in the manner provided by law.

PASSED this _____ day of January, 2018.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this _____ day of January, 2018.

Barry I. Bass, President
Village of Lincolnwood, Cook County, Illinois

ATTESTED and FILED in my office this
_____ day of _____, 2018

Beryl Herman, Village Clerk
Village of Lincolnwood, Cook County, Illinois

ORDINANCE APPROVING PLAT TO VACATE ALLEY
BETWEEN ARTHUR AND ~~BE~~ THE ALLEY LYING NORTH
OF DEVON AVE., RUNNING NORTH AND SOUTH BETWEEN
CENTRAL PARK AND DRAKE AVE.
IN THE VILLAGE OF LINCOLNWOOD

BE IT ORDAINED by the President and Board of Trustees of the Village of Lincolnwood, County of Cook and State of Illinois, as follows:

WHEREAS, the President and Board of Trustees have determined that there is no public use or benefit to be derived from the alleys described in the plat hereto attached and marked "hereby vacated", and that the adjacent owners have all consented to the vacation thereof; and

WHEREAS, EMMET KENNEDY, an Illinois Land Surveyor, has prepared a plat of vacation for said alley, dated _____ and known and described as follows:

The North and South 16' public alley bounded on the north by Arthur Ave., on the south by the east and west alley lying north of Devon Ave., on the west by Central Park Ave. and on the east by Drake Ave., being further described as the north and south 16' public alley abutting Lots 1 and 2 in Ender's and Muno's Sub. of $S\frac{1}{2}$ $S\frac{1}{2}$ $SE\frac{1}{4}$ Sec. 35-41-13, Block 6, all in the Village of Lincolnwood, Cook County, Illinois

NOW, THEREFORE, BE IT ORDAINED:

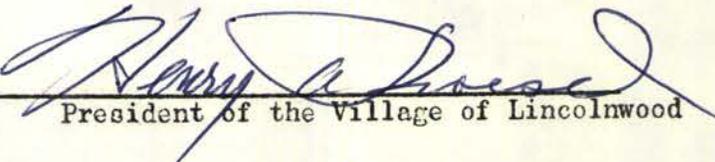
SECTION 1. That the plat of vacation of said alleys as described in the plat by EMMET KENNEDY, an Illinois Land Surveyor, on _____

, be and the same is hereby approved, and the alleys to be vacated marked in said plat as "hereby vacated" be and the same are ordered vacated, and that the easements for all public utilities are hereby reserved for the public utility companies and municipality for the purpose of maintenance and repair of any installation now existing or hereafter to be installed.

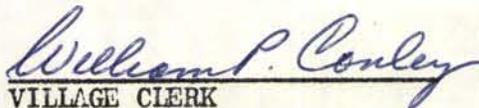
SECTION 2. The plat of vacation, a copy of which is hereto attached, has been approved by the President and Board of Trustees of the Village of Lincolnwood on May 19, 1955, and attested by the Village Clerk and that said plat is hereby ordered recorded in the Recorder's Office of Cook County, Illinois, in compliance with the laws of the State of Illinois with reference hereto.

Passed this 19 day of May, 1955.

AYES 6 NAYS 0 ABSENT 0


President of the Village of Lincolnwood

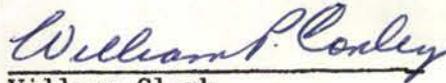
ATTEST:


VILLAGE CLERK

Posted and published according to

law this 19 day of May,

A.D. 1955.


Village Clerk

PLAT OF VACATION OF

PARCEL 1 FOR VACATION
 THE NORTH AND SOUTH PORTION OF 66 FOOT CENTRAL PARK AVENUE BOUNDED ON THE NORTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF AN ALLEY DEDICATED PER DOCUMENT 9743779, AND ON THE SOUTH BY THE NORTHERLY LINE OF 100 FOOT LINCOLN AVENUE, ALL IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 35-41-13, VILLAGE OF LINCOLNWOOD, COOK COUNTY ILLINOIS.

PARCEL 2 FOR VACATION
 THAT PART OF THE 16 FOOT PUBLIC ALLEY LYING NORTH OF AND ADJACENT TO, LOTS 4, 5, AND 6 OF OWEN AND CLOSIUS LINCOLN AND DEVON AVENUE SUBDIVISION OF BLOCKS 5 AND 6 IN ENDERS AND MUNO'S SUBDIVISION BEING BOUNDED ON THE EAST BY THE WEST LINE OF 66 FOOT DRAKE AVENUE, AND ON THE WEST BY THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 4 AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 2 OF THE AFOREMENTIONED SUBDIVISION, ALL IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 35-41-13, VILLAGE OF LINCOLNWOOD, COOK COUNTY ILLINOIS.

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF COOK) S.S.

APPROVED AND ACCEPTED THIS 6th DAY OF FEBRUARY 2003, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS.

BY: Patricia May
 VILLAGE PRESIDENT

ATTEST: Carole Kirkman
 VILLAGE CLERK

SURVEYOR'S NOTES

1) VACATION PARCEL 1 SHALL RESERVE UNTO ANY PUBLIC UTILITY WITH EASEMENT LOCATED IN, UNDER, OVER OR UPON THE LAND AN EASEMENT FOR THE CONTINUED USE, IF ANY BY SUCH PUBLIC UTILITY.

2) A BLANKET EASEMENT IS HEREBY GRANTED TO THE VILLAGE OF LINCOLNWOOD OVER THE HEREOF VACATED STREET FOR MUNICIPAL PURPOSES.

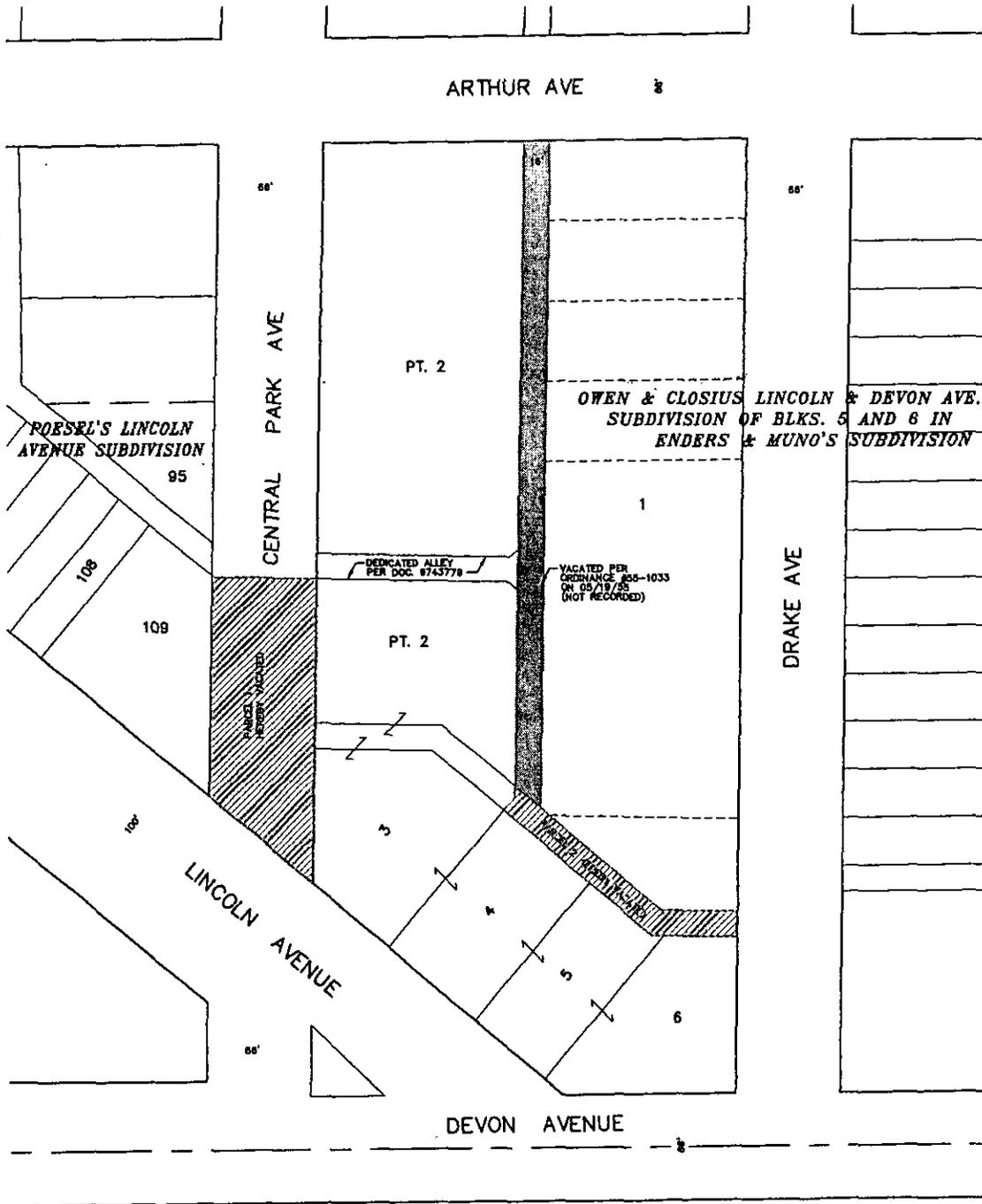
SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF LAKE) S.S.

GEWALT HAMILTON ASSOCIATES INC., HEREBY CERTIFIES THAT WE HAVE PREPARED THE ABOVE DESCRIBED PLAT OF VACATION FROM EXISTING RECORDS AND THAT THIS PLAT IS A CORRECT REPRESENTATION THEREOF.

FEBRUARY 3, 2003

Donald W. Bing
 DONALD W. BING
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3098
 LICENSE EXPIRES NOVEMBER 30, 2004



GEWALT HAMILTON ASSOCIATES, INC.
 CONSULTING ENGINEERS & SURVEYORS

860 Forest Edge Drive Vernon Hills, IL 60061 Tel. 847.478.9700 Fax 847.478.9701

FILE: 9232PLV6.DWG	PROJ. # 9232.067	SHEET NUMBER
DRAWN BY: RVR	SCALE	1 OF 2
DATE: 1-23-03	1"=50'	
CHECKED BY: DWB	DATE: 1-23-03	OF 1 SHEETS
NO. BY DATE	REVISION	
1 DWB 2-5-03	PER INTERNAL REVIEW	

0030226772

THIS SPACE FOR RECORDERS USE ONLY

VILLAGE OF LINCOLNWOOD

ORDINANCE NO. 2018-_____

**AN ORDINANCE VACATING A PORTION OF THE ALLEY RIGHT-OF-WAY
ADJACENT TO 6424 NORTH DRAKE AVENUE**

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LINCOLNWOOD
THIS ___ DAY OF _____, 2018.

Published in pamphlet form
by the authority of the
President and Board of Trustees
of the Village of Lincolnwood,
Cook County, Illinois
this _____ day of _____, 2018

ORDINANCE NO. 2018-___

**AN ORDINANCE VACATING A PORTION OF THE ALLEY RIGHT-OF-WAY
ADJACENT TO 6424 NORTH DRAKE AVENUE**

WHEREAS, Bais Chaim Dovid East ("**Applicant**") is the record Applicant of that certain parcel of real property located at the address commonly known as 6424 North Drake Avenue, Lincolnwood, Illinois, and legally described on **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("**Property**"); and

WHEREAS, the Property is adjacent to, and immediately east, of an alley right-of-way under the jurisdiction of the Village ("**Alley**"); and

WHEREAS, Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1, authorizes the Village Board of Trustees to vacate any public street, alley, or right-of-way, or part thereof, in order to serve the public interest; and

WHEREAS, the Village Board of Trustees has determined that the public interest will be served by vacating that portion of the Alley located immediately west of the Property, which portion of the right-of-way is legally described on **Exhibit B** attached to and, by this reference, made a part of this Ordinance ("**Right-of-Way**"), as described in and depicted on the Plat of Vacation attached to, and by this reference, made a part of this Ordinance as **Exhibit C** ("**Plat of Vacation**"), subject to the terms and conditions set forth in this Ordinance; and

WHEREAS, the owner of the real property that is located immediately west of the Right-of-Way has informed the Village that it has no interest in acquiring any portion of the Right-of-Way; and

WHEREAS, the Village Board of Trustees has further determined that, upon the effective date of the vacation of the Right-of-Way, the Right-of-Way is to be incorporated into and made a part of the Property, and title and sole responsibility of upkeep and maintenance will vest in the then-Applicant of the Property; and

WHEREAS, the Village Board of Trustees has found that the vacation of the Right-of-Way will not inhibit any currently existing street access for any parcel or tract dependent on the Right-of-Way as its sole means of access; and

WHEREAS, the Village Board of Trustees has determined that the vacation of the Right-of-Way will serve and be in the best interest of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. VACATION OF THE RIGHT-OF-WAY. Subject to, and contingent upon, the conditions set forth in Section 3 of this Ordinance, and pursuant to 65 ILCS 5/11-91-1

and the home rule powers of the Village, the Village Board of Trustees hereby (a) vacates the Right-of-Way depicted on the Plat of Vacation; and (b) approves the Plat of Vacation.

SECTION 3. CONDITIONS. The approvals granted pursuant to Section 2 of this Ordinance are hereby conditioned upon the following conditions:

- A. Vacation Compensation Fee. The Applicant shall pay to the Village, as consideration for the vacated Right-of-Way, the amount of \$56,900, plus the total amount of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance (collectively, the “*Vacation Compensation Fee*”). The Applicant shall pay the Vacation Compensation Fee to the Village within 30 days after the date of adoption of this Ordinance.
- B. Northbound Vehicular Egress Prohibited. The Applicant shall post signage, with text and at locations approved in advance by the Village, prohibiting vehicles parked on any portion of the Property from travelling northbound within the Alley toward Arthur Avenue.

SECTION 4. COMPENSATION FOR VACATED RIGHT-OF-WAY. The Village Board of Trustees hereby finds and declares that the Vacation Compensation Fee, the future maintenance of the vacated Right-of-Way by the Applicant of the Property, and the future payment of real estate taxes to be assessed against the vacated Right-of-Way, collectively constitutes the fair market value of the benefits that will accrue to the Village by reason of the vacation of the Right-of-Way approved pursuant to this Ordinance.

SECTION 5. RECORDATION. Upon the payment of the Vacation Compensation Fee by the Applicant of the Property to the Village pursuant to Section 3 of this Ordinance, the Village Clerk shall cause this Ordinance and the Plat of Vacation to be recorded in the Office of the Recorder of Cook County.

SECTION 6. TITLE TO THE VACATED RIGHT-OF-WAY. Upon the payment of the Vacation Compensation Fee, as set forth in Section 3 of this Ordinance, and upon the recordation of this Ordinance and the Plat of Vacation, as provided in Section 5 of this Ordinance, the vacated Right-of-Way is to be incorporated into and made a part of the Property, and title shall vest in the then-owner of the Property. Following the recordation of this Ordinance, the vacated Right-of-Way shall be and remain a part of the Property, unless and until a plat of subdivision is approved by the Village in accordance with all applicable state and local statutes, ordinances, and regulations.

SECTION 7. MAINTENANCE OF THE VACATED RIGHT-OF-WAY. After the recordation of the Plat of Vacation and this Ordinance, the Village shall have no obligation to maintain or perform improvements on the vacated Right-of-Way.

SECTION 8. RESERVATION OF RIGHTS. The vacation of the Right-of-Way shall not affect any easement rights the Village may have with regard to the Property, and such vacation shall be subject to and limited by the easements and other rights set forth on the Plat of Vacation.

SECTION 9. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 10. EFFECTIVE DATE.

- A. This Ordinance shall be effective only upon the occurrence of all of the following events:
 - 1. Passage by three-fourths of the members of the Village Board of Trustees, excluding the Village President, in the manner required by law;
 - 2. Publication in pamphlet form in the manner required by law;
 - 3. Delivery to the Village Clerk of a copy of a written title policy, issued by an Illinois title insurance company, indicating that fee simple title to the Property has been conveyed to the Applicant;
 - 4. Payment of the Vacation Compensation Fee by the Applicant to the Village; and
 - 5. The recordation of this Ordinance, together with such exhibits as the Village Clerk deems appropriate for recordation, with the Office of the Recorder of Cook County.

- B. In the event the Applicant does not pay the Vacation Compensation Fee to the Village, as required by Sections 3 and 10.A.4 of this Ordinance, within 30 days after the date of final passage of this Ordinance, this Ordinance shall automatically, and without further action, be and become null and void and of no force or effect.

PASSED this ____ day of _____, 2018.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

[SIGNATURE PAGE FOLLOWS]

APPROVED by me this _____ day of _____, 2018.

Barry I. Bass, President
Village of Lincolnwood, Cook County, Illinois

ATTESTED and FILED in my office the
_____ day of _____, 2018.

Beryl Herman, Village Clerk
Village of Lincolnwood, Cook County, Illinois

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

THE SOUTH 215 FEET OF THE NORTH 420 FEET, AS MEASURED ON THE EAST LINE OF LOT 1 IN BLOCK 6 IN ENDER'S AND MUNO'S SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 10-35-418-015-0000

Commonly known as: 6424 North Drake Avenue, Lincolnwood, Illinois

EXHIBIT B

LEGAL DESCRIPTION OF THE RIGHT-OF-WAY

ALL THAT PART OF THE 16 FOOT ALLEY LYING WEST OF AND ADJOINING THE SOUTH 153.91 FEET OF THE NORTH 420 FEET, AS MEASURED ON THE EAST LINE OF LOT 1 IN BLOCK 6 IN ENDER'S AND MUNO'S SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXHIBIT C

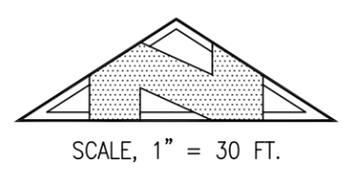
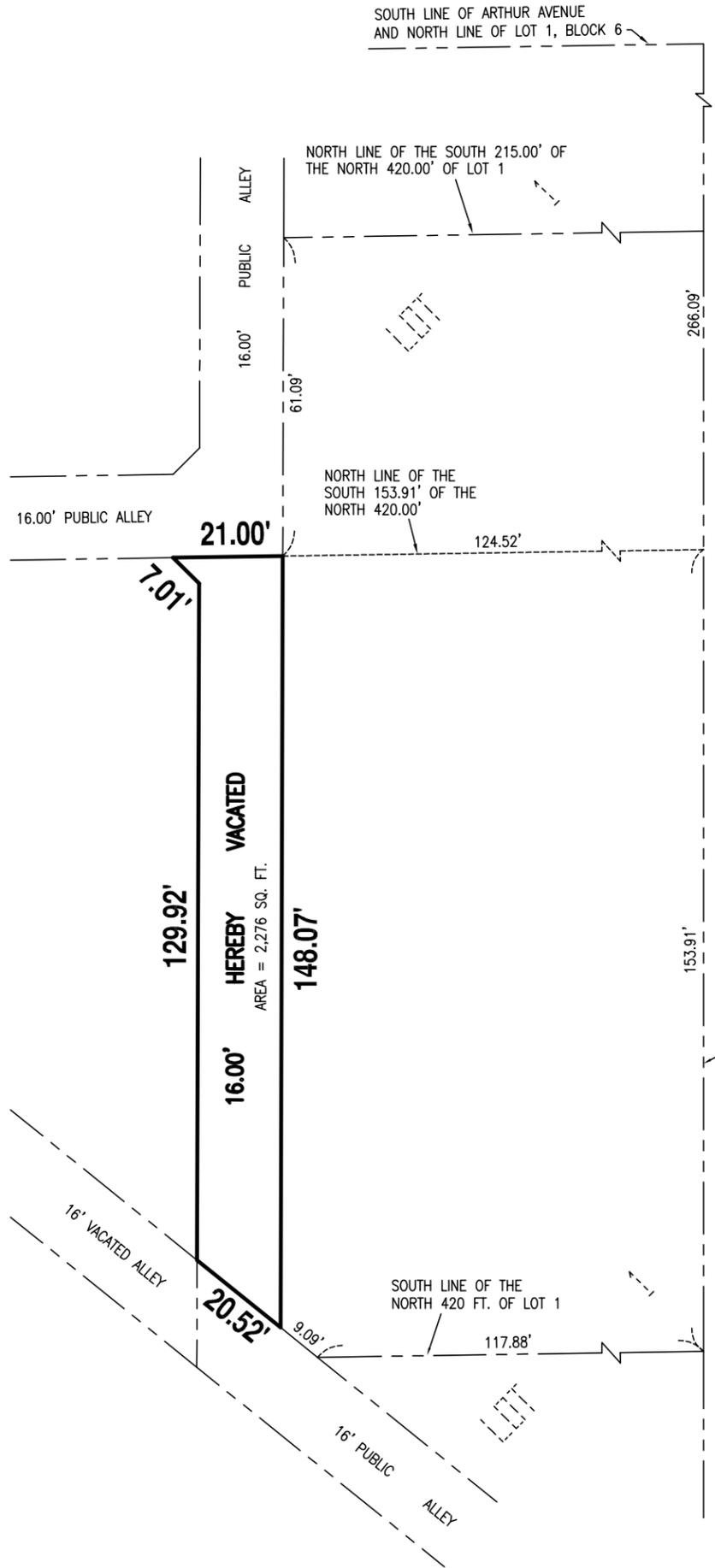
PLAT OF VACATION

PLAT of VACATION

LEGAL DESCRIPTION:

ALL THAT PART OF THE 16 FOOT ALLEY LYING WEST OF AND ADJOINING THE SOUTH 153.91 FEET OF THE NORTH 420 FEET, AS MEASURED ON THE EAST LINE OF LOT 1 IN BLOCK 6 IN ENDER'S AND MUNO'S SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SUBMITTED BY :



NOTE:
EASEMENT RIGHTS RESERVED TO THE VILLAGE LINCOLNWOOD FOR PUBLIC UTILITIES IN VACATED ALLEY.

STATE OF ILLINOIS }
COUNTY OF COOK } ss.

Approved and accepted by the President and Village Board of the Village of Lincolnwood, Cook County, Illinois on this ____ day of _____, A.D., 20__.

President

Attest: _____
Village Clerk

B. H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911

840 CUSTER AVENUE, EVANSTON, ILLINOIS 60202
CHICAGO TEL. (773) 273-5315 / EVANSTON TEL. (847) 864-6315
WWW.BHSUHR.COM / E-MAIL: SURVEYOR@BHSUHR.COM

LOCATION ALLEY BEHIND 6424 N. DRAKE AVE. ORDER No. 17-208-VA
ORDERED BY: ML GROUP
EVANSTON, NOVEMBER 20, 20 17

R. R. HANSEN MEMBER: I.P.L.S.A. A.C.S.M., N.S.P.S. Professional Design Firm License No. 184-002871 RR139

EVANSTON, DECEMBER 28, 20 17

STATE OF ILLINOIS }
COUNTY OF COOK } ss.

We, B. H. Suhr & Co., Inc., do hereby certify that we have prepared this Plat of Vacation of a 16 foot Alley from existing plats and records as shown hereon drawn.

B.H. SUHR & COMPANY, INC.

XXXPRELIMINARY-COPYXXX

By RAYMOND R. HANSEN
ILLINOIS PROFESSIONAL LAND SURVEYOR No.2542
LICENSE EXPIRATION DATE 11/30/18

MELTZER, PURTILL & STELLE LLC



ATTORNEYS AT LAW

1515 E. WOODFIELD ROAD
SECOND FLOOR
SCHAUMBURG, IL 60173-5431
PHONE (847) 330-2400
FAX (847) 330-1231

300 S. WACKER DRIVE
SUITE 3500
CHICAGO, IL 60606-6704
PHONE (312) 987-9900
FAX (312) 987-9854

File Number: 34847-001
Direct Dial: (312) 461-4302
E-mail: sbauer@mpslaw.com

November 3, 2017

Mayor Barry Bass and
Village Board of Trustees
Village of Lincolnwood
6900 North Lincoln Avenue
Lincolnwood, IL 60172

**Re: *Bais Chaim Dovid East – 6424 North Drake Avenue
Request for Ownership of North-South Alleyway***

Dear Mayor Bass and Village Board of Trustees:

On behalf of Bais Chaim Dovid East (“BCDE”), an Illinois not-for-profit corporation and contract purchaser of the property located at 6424 North Drake Avenue (“Subject Property”), we are pleased to present BCDE’s request for ownership of the 16-foot wide north-south vacated alleyway that is contiguous to the Subject Property’s west lot line (“Subject Alleyway”) so that BCDE can construct a new 10,000 square foot, two-story synagogue on the Subject Property in the manner set forth on the attached Site Plan.

As you may be aware, BCDE’s founding and membership is rooted in its current neighbor, the Bais Chaim Dovid synagogue, which was founded in the Village in 1995. Since BCDE’s establishment in 2012, its members have remained proud to be a part of the Lincolnwood community. For the past five years, BCDE has operated from its current facility at 3458 West Devon Avenue. BCDE now hopes to construct a new synagogue that is more suitable for the needs of its congregation and from which its members may share their love of learning and commitment to davening for many years to come. BCDE carefully designed its Site Plan to both meet those needs and fully conform to the applicable requirements of the Village’s Zoning Ordinance.

To be more specific, BCDE seeks to acquire the Subject Alleyway so that it can construct and maintain the parking spaces it needs to comply with the Village’s off-street parking requirement for the 136 seats that will be provided in the synagogue’s sanctuary. Needless to say, the congregation’s use of those seats does not correlate to the synagogue’s actual demand for parking because congregants are prohibited from driving to the synagogue for Sabbath services.

*Mayor Barry Bass and
Village Board of Trustees
Village of Lincolnwood
November 3, 2017
Page 2*

We understand the Village vacated the Subject Alleyway and the alleyway north of the Subject Alleyway to Arthur Avenue by the adoption of Ordinance No. 1033, which was unanimously approved on May 19, 1955 (“Vacation Ordinance”). We also understand that ownership of the eastern eight feet of the Subject Alleyway vested by operation of law in the then-owner of the Subject Property, which would mean that it is now owned by Philip Garoon, the current owner of the Subject Property and BCDE’s contract seller. Through that same act of vacation, title to the western eight feet of the Subject Alleyway would have vested in the then-owner of what is now the MB Financial Bank (“MB”) property, which would mean that it is now owned by MB.

Based on the Vacation Ordinance and prior to the October 17th Village Board meeting, we communicated with multiple representatives of MB and asked if MB would be willing to allow for BCDE’s ownership and use of the western eight feet of the Subject Alleyway. We were told both verbally and in writing that MB would be willing to do so, a fact we subsequently shared with Village staff.

After the October 17th Village Board meeting, however, we were advised that the Village is contemplating repealing the Vacation Ordinance, which would ostensibly have the effect of divesting both the current owner of the Subject Property and MB of title to the Subject Alleyway and “re-vesting” title in the Village, and concurrently adopting a new vacation ordinance for the Subject Alleyway. We were also told that the Village Board might request compensation in consideration for such “re-vacation”.

On behalf of our client we respectfully request that, if you do elect to repeal the Vacation Ordinance and adopt a new vacation ordinance, such new ordinance provide for the Village’s conveyance of title to the entirety of the Subject Alleyway to BCDE concurrently with BCDE’s acquisition of the Subject Property and at no cost to it. As you can see from a review of BCDE’s Site Plan, ownership of the Subject Alleyway is critical to BCDE’s planned development of the Subject Property and its future use and enjoyment of it.

In considering this request, we would respectfully ask that you consider the following:

1. If the Village desired compensation for the vacation of the Subject Alleyway, that compensation was presumably already paid more than 62 years ago when the Village approved the Vacation Ordinance.
2. Neither the Illinois Municipal Code nor the Village’s Code of Ordinances mandates that the Village require compensation for the vacation of the Subject Alleyway.
3. BCDE did not anticipate having to pay compensation for the Subject Alleyway when it entered into its contract to acquire the Subject Property and established its project budget for this exciting project.

*Mayor Barry Bass and
Village Board of Trustees
Village of Lincolnwood
November 3, 2017
Page 3*

We thank you in advance for your consideration of this request.

Sincerely,

MELTZER, PURTILL & STELLE LLC



Steven C. Bauer

Attachment

cc: Rabbi Fine, Bais Chaim Dovid East
Mordy Lebovics, ML Group
Harold W. Francke, Meltzer, Purtill & Stelle, LLC

Village of Lincolnwood Application for Street or Alley Vacation

For consideration of your application for vacation, please attach the following required items:

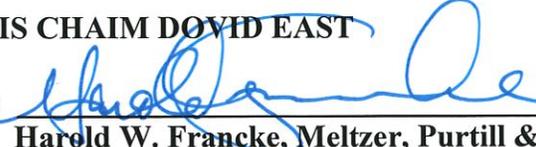
1. A copy of any title report and/or survey of your property which shows/refers to the subject street/alley.
2. A Petition of Vacation from property owners abutting the subject street/alley.
3. Other documentation or information regarding the subject street/alley.

Check one. This request is for:	<input type="checkbox"/> Street Vacation	<input checked="" type="checkbox"/> Alley Vacation
Specifically describe and identify the location and extent of the street or alley requested to be vacated. Attach a map showing location and extent.		
<i>Please see attached plat of survey and aerial photograph. The alley to be vacated generally lies between the property situated at 6424 N. Drake Avenue and the MB Financial Bank property situated at 6401 N. Lincoln Avenue.</i>		

Number of properties which abut the requested vacation: <i>Three. The two noted above and Central Park.</i>
Number/location of driveways/garages along the proposed vacation: <i>None</i>
Identify any known utilities in the subject street/alley: <i>None, to Applicant's knowledge.</i>
Explain/describe the current use/condition of this street/alley: <i>Alley is currently a 16-foot wide improved alley which terminates in a dead-end. To Applicant's knowledge, it is not presently being used by any party.</i>
Why do you seek to have this street/alley vacated? <i>Applicant seeks to use the vacated alley for off-street parking which will serve a synagogue Applicant intends to construct on the aforesaid Drake Avenue property. Please see attached email for information concerning MB Financial Bank's position with respect to Applicant's use of 100% of vacated alley.</i>

Applicant's Name: <i>BAIS CHAIM DOVID EAST, an Illinois not-for-profit corporation</i>	
Street Address: <i>3450 Oakton Street, Skokie, IL 60076</i>	
Do you own this property? <i>No. We are the contract purchaser of the Drake Avenue property.</i>	
Home Phone #	Business Phone # <i>(570) 954-5037</i>

BAIS CHAIM DOVID EAST

By: 
Harold W. Francke, Meltzer, Purtill & Stelle, LLC
 Its duly authorized attorney

November 17, 2017
Application Date

Village of Lincolnwood Application for Street or Alley Vacation

For consideration of your application for vacation, please attach the following required items:

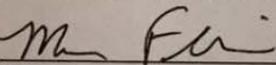
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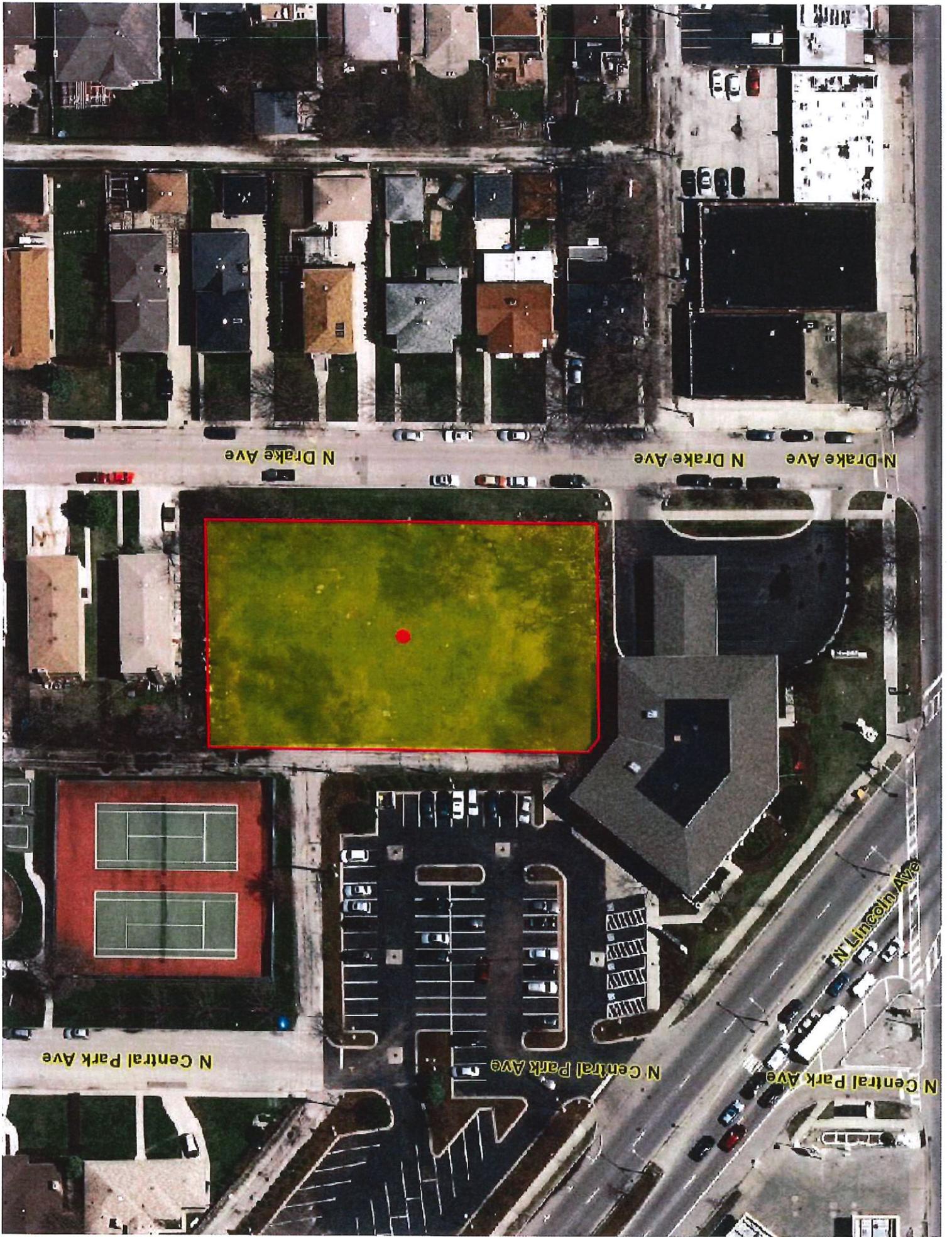
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Applicant's Name: <i>BAIS CHAIM DOVID EAST, an Illinois not-for-profit corporation</i>	
Street Address: <i>3450 Oakton Street, Skokie, IL 60076</i>	
Do you own this property? <i>No. Applicant is contract purchaser of the aforesaid Drake Avenue property.</i>	
Home Phone #	Business Phone # <i>(570) 954-5037</i>

BAIS CHAIM DOVID EAST

By: 
Menachem Fine
Rabbi and Registered Agent of Applicant

November 17, 2017
Application Date



N Drake Ave

N Drake Ave

N Drake Ave

N Central Park Ave

N Central Park Ave

N Central Park Ave

N Lincoln Ave

Harold Francke

From: Stacy Koty <SKoty@mbfinancial.com>
Sent: Friday, October 13, 2017 4:51 PM
To: Steven C. Bauer
Cc: Stephen Herseth
Subject: 6424 N. Drake Ave Lincolnwood

Steve, as previously discussed, MB Financial is not opposed to your client's development and use of the entire vacated alley width that separates the bank's parcel from your client's parcel. As your client's plans become more definitive MB would like to be kept informed on the potential impact it may have on the use of the alley including Village approved site plans, parking and signage.

I look forward to keeping the dialogue flowing and seeing how this develops.

Have a good weekend,

Stacy

Stacy Koty RPA, FMA | SVP Facilities Manager | 6111 N River Road, Rosemont, IL 60018 | Office: 847.653.1114 | Cell: 312.617.4338 | skoty@mbfinancial.com |



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Additionally, notwithstanding anything in this communication or any attachment, nothing contained in this communication or any such attachment shall be deemed a waiver of any rights of MB Financial Bank, N.A., or its parents, subsidiaries or affiliates, under any financing agreement or document between MB Financial Bank, N.A., or its parents, subsidiaries or affiliates, and any individual or entity, or a modification to any such any financing agreement or document, nor shall this email constitute an offer or acceptance for purposes of forming a contract or commitment or amending a contract, unless (a) it explicitly states "E-Contract Intended" or "This email is intended to constitute a binding contract or commitment." and (b) it is signed by a duly authorized representative of MB Financial Bank, N.A.



MEMORANDUM

TO: Village of Lincolnwood Traffic Commission

FROM: Doug Hammel, Community Development Manager

DATE: December 14, 2017

SUBJECT: Alley Vacation on the Block bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue and North Drake Avenue

This memorandum includes information related to a request for an alley vacation on the block bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue and North Drake Avenue. The memorandum provides background information related to the evolution of the block's alley configuration, describes the request being made by the Applicant, identifies potential impacts, and presents staff recommendations related to the request.

Background

On November 17, 2017, the Village of Lincolnwood received an Application for a Street or Alley Vacation from Bais Chaim Dovid East, a potential purchaser of 6424 North Drake Avenue. The Applicant is seeking vacation of the north-south alley on the block bound by North Lincoln Avenue, North Central Park Avenue, West Arthur Avenue and North Drake Avenue. The Applicant's intent is to procure the portion of the alley adjacent to 6424 North Drake Avenue for the purposes of integrating it into a redevelopment lot.

The block in question has evolved over the past 20 years. In 2003, portions of the block's original alley network and the southern segment of Central Park Avenue were vacated for the development of the bank at the southern end of the block.



Pre-2003 Configuration



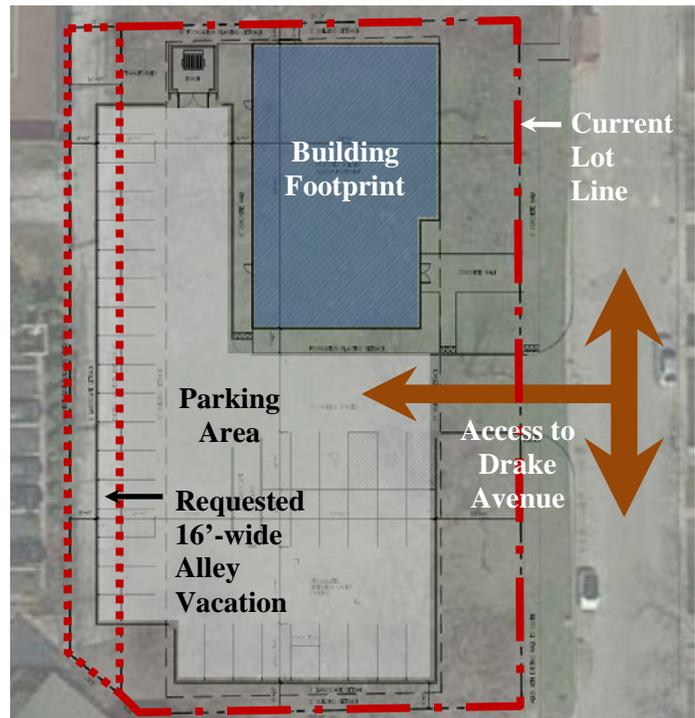
2003-Current Configuration

Legend

-  Public Street
-  Public Alley
-  Alley Integrated into Site Circulation

Requested Vacation

The Applicant is seeking vacation and acquisition of the entirety of the 16'-wide alley running along the west lot line of 6424 North Drake Avenue. The intent of the acquisition is to expand the current development lot to better accommodate parking, landscaping, and on-site circulation related to a proposed development. The resulting development would be served by a new private curb cut providing access directly onto Drake Avenue. (The specific location of the curb cut on Drake Avenue is shown in the preliminary site plan below, but is subject to change depending on Applicant design preference and staff approval.)

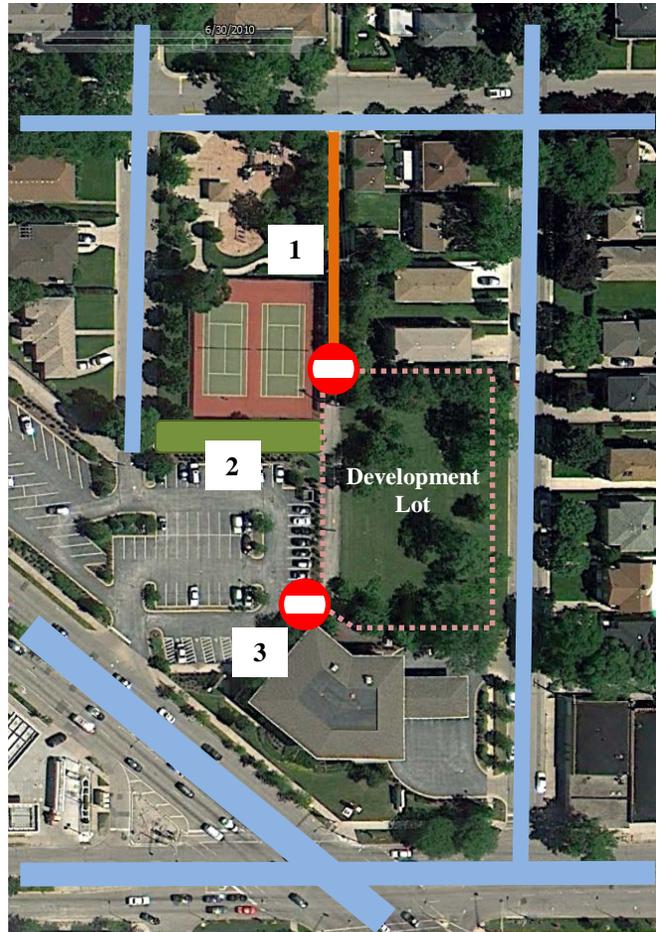


Preliminary Site Plan for Proposed Redevelopment

Related Impacts

If the requested alley is approved, it could have the following impacts:

1. The remainder of the north-south alley on the northern portion of the block would continue to serve existing residential lots, some of which rely on the alley for access to rear garages. This remaining alley segment would be a dead-end at its southern end. (The Applicant's intent is to sever access between the remaining alley and the new parking area on 6424 North Drake Avenue.) Residential access to and egress from the remaining alley would be limited to Arthur Avenue.
2. The existing east-west alley located immediately south of Central Park was initially installed as a result of the alley and street vacations related to the development of the bank at the southern end of the block. If the Applicant's vacation request is granted, this east-west segment would no longer serve a functional purpose since the proposed parking area at 6424 North Drake Avenue would not rely on access from this alley. The alley would continue to be Village property and, in the future, could serve as an asset to Central Park.
3. The existing bank uses the existing alley for supplemental circulation. However, representatives of the bank have stated that they do not object to the Applicant's request for vacation of this segment of the alley. (The bank's existing parking lot, which is on its own property, provides adequate circulation should the alley access be removed.)



Configuration Resulting from Requested Alley Vacation

Public Comment

Letters were mailed to the 54 properties within 250 feet of the alley in question. Since then, staff has received five calls, four of which expressed no objection to the proposed vacation. The fifth came from the owner of 6430 North Drake Avenue, the property located directly to the north of 6424 North Drake Avenue. The property owner indicated that he may be interested in building a garage that accesses the alley and he wanted to ensure that the entire alley was not being proposed to be vacated.

Staff Recommendations

Staff recommends approval of the request to vacate the subject alley with the following conditions:

- The Applicant is to ensure that access will not be provided between the remaining alley north of the property at 6424 North Drake and the proposed parking area on that property.
- The Applicant is to restore the east-west alley segment between Central Park Avenue and the alley requested for vacation since the east-west alley would no longer serve a functional purpose as the result of the request made by the Applicant.
- The vacation of the requested alley and any development plans submitted by the Applicant for the property at 6424 North Drake (which would presumably include the vacated alley segment) include an easement of 16' in width along the west edge of the property to accommodate access to and the maintenance of existing utilities.

Attachments

1. Petitioner Application

Village of Lincolnwood Application for Street or Alley Vacation

For consideration of your application for vacation, please attach the following required items:

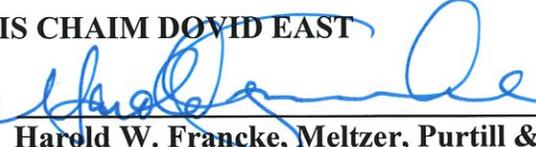
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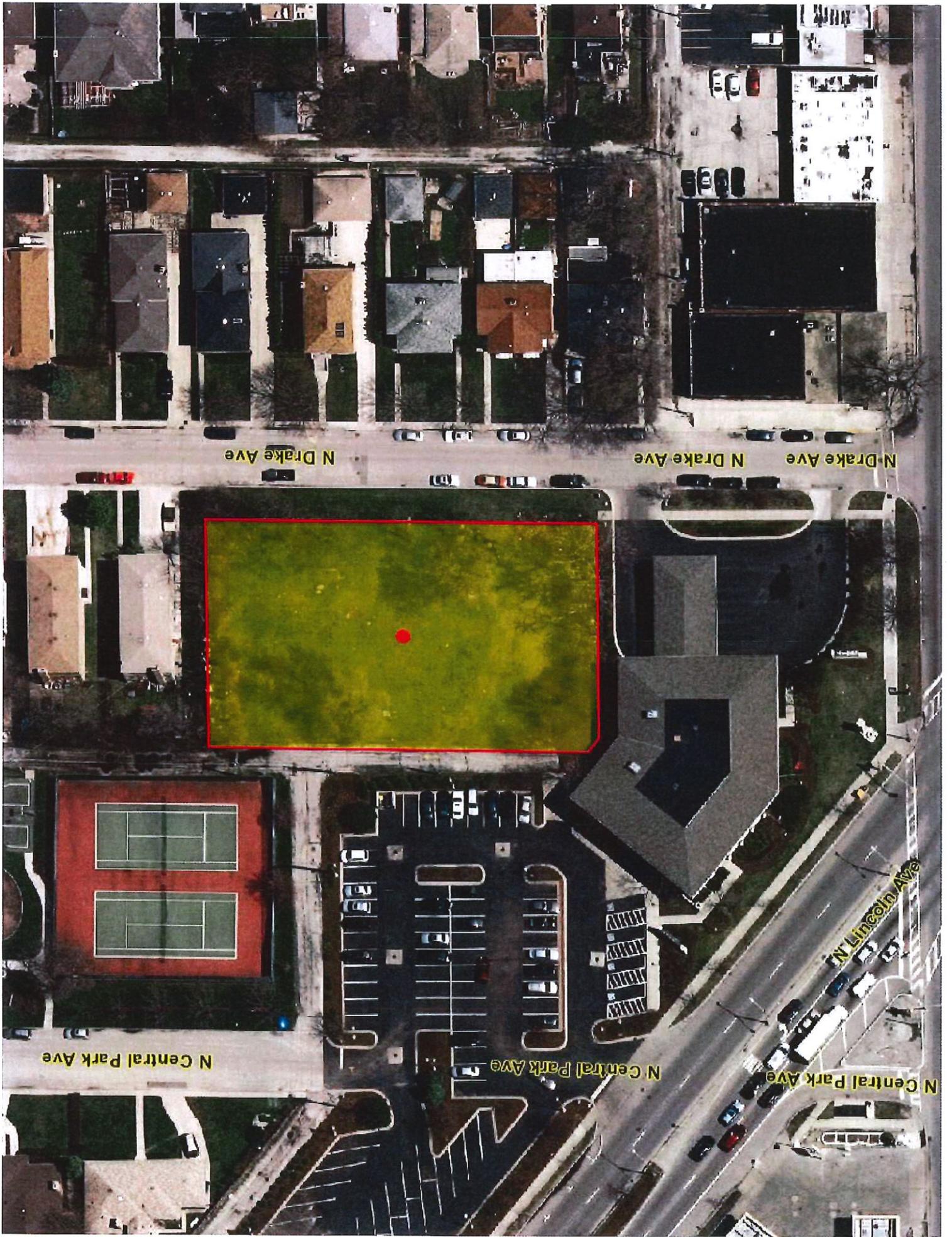
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Do you own this property? <i>No. We are the contract purchaser of the Drake Avenue property.</i>	
Home Phone #	Business Phone # <i>(570) 954-5037</i>

BAIS CHAIM DOVID EAST

By: 
Harold W. Francke, Meltzer, Purtill & Stelle, LLC
 Its duly authorized attorney

November 17, 2017
Application Date



N Drake Ave

N Drake Ave

N Drake Ave

N Central Park Ave

N Central Park Ave

N Central Park Ave

N Lincoln Ave

Harold Francke

From: Stacy Koty <SKoty@mbfinancial.com>
Sent: Friday, October 13, 2017 4:51 PM
To: Steven C. Bauer
Cc: Stephen Herseth
Subject: 6424 N. Drake Ave Lincolnwood

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Stacy

Stacy Koty RPA, FMA | SVP Facilities Manager | 6111 N River Road, Rosemont, IL 60018 | Office: 847.653.1114 | Cell: 312.617.4338 | skoty@mbfinancial.com |



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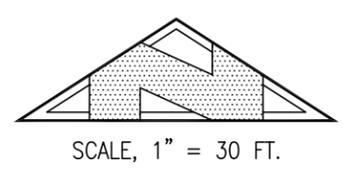
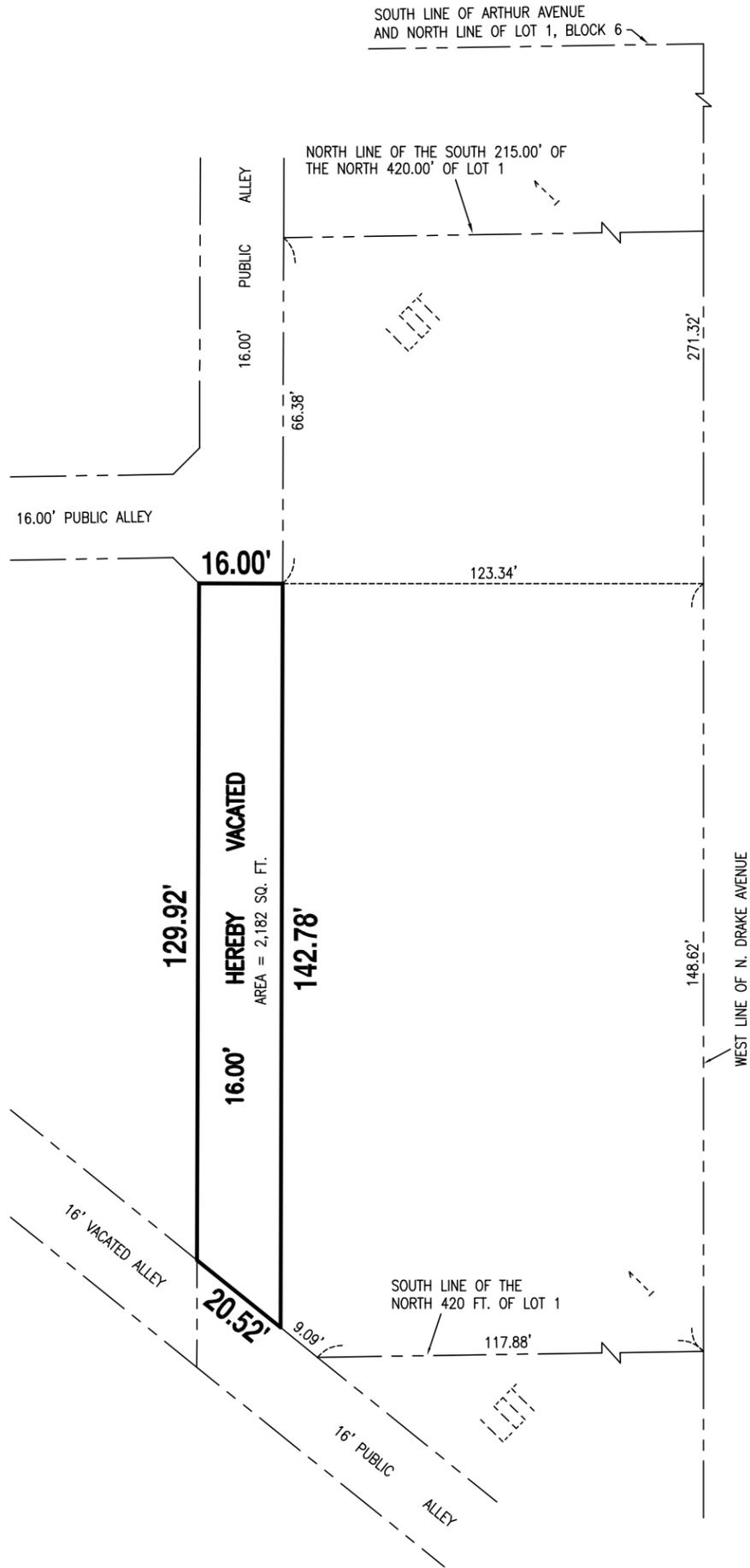
Additionally, notwithstanding anything in this communication or any attachment, nothing contained in this communication or any such attachment shall be deemed a waiver of any rights of MB Financial Bank, N.A., or its parents, subsidiaries or affiliates, under any financing agreement or document between MB Financial Bank, N.A., or its parents, subsidiaries or affiliates, and any individual or entity, or a modification to any such any financing agreement or document, nor shall this email constitute an offer or acceptance for purposes of forming a contract or commitment or amending a contract, unless (a) it explicitly states "E-Contract Intended" or "This email is intended to constitute a binding contract or commitment." and (b) it is signed by a duly authorized representative of MB Financial Bank, N.A.

PLAT of VACATION

LEGAL DESCRIPTION:

ALL THAT PART OF THE 16 FOOT ALLEY LYING WEST OF AND ADJOINING THE SOUTH 148.62 FEET OF THE NORTH 420 FEET, AS MEASURED ON THE EAST LINE OF LOT 1 IN BLOCK 6 IN ENDER'S AND MUNO'S SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SUBMITTED BY :



NOTE:
EASEMENT RIGHTS RESERVED TO THE VILLAGE LINCOLNWOOD FOR PUBLIC UTILITIES IN VACATED ALLEY.

STATE OF ILLINOIS }
COUNTY OF COOK } ss.

Approved and accepted by the President and Village Board of the Village of Lincolnwood, Cook County, Illinois on this ____ day of _____, A.D., 20 ____.

President

Attest: _____
Village Clerk

B. H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911

840 CUSTER AVENUE, EVANSTON, ILLINOIS 60202
CHICAGO TEL. (773) 273-5315 / EVANSTON TEL. (847) 864-6315
WWW.BHSUHR.COM / E-MAIL: SURVEYOR@BHSUHR.COM

LOCATION ALLEY BEHIND 6424 N. DRAKE AVE. ORDER No. 17-208-VA
ORDERED BY: ML GROUP
EVANSTON, NOVEMBER 20, 20 17

R. R. HANSEN	MEMBER: I.P.L.S.A. A.C.S.M., N.S.P.S.	Professional Design Firm License No. 184-002871	RR139
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EVANSTON, DECEMBER 27, 20 17

STATE OF ILLINOIS }
COUNTY OF COOK } ss.

We, B. H. Suhr & Co., Inc., do hereby certify that we have prepared this Plat of Vacation of a 16 foot Alley from existing plats and records as shown hereon drawn.

B.H. SUHR & COMPANY, INC.

By _____
RAYMOND R. HANSEN
ILLINOIS PROFESSIONAL LAND SURVEYOR No.2542
LICENSE EXPIRATION DATE 11/30/18



MaROUS & COMPANY

December 5, 2017

Holland & Knight, LLP
131 South Dearborn Street
30th Floor
Chicago, Illinois 60603

Attention: Mr. Steven M. Elrod, Attorney At Law

Subject: Public Alley Vacation
Along West Boundary of 6424 North Drake Avenue
Lincolnwood, Illinois 60712
PIN 10-35-418-015

Dear Mr. Elrod:

In conformance with the signed letter of engagement, the vacant land and public alley located along the West boundary of 6424 North Drake Avenue, Lincolnwood, Illinois, has been inspected and appraised.

Purpose of the Assignment, Date, and Intended Use and User of the Appraisal

This restricted appraisal report has been prepared specifically for the use of Mr. Steven M. Elrod, Attorney at Law, and his client. Anyone else who uses this report is considered to be an unintended user. The purpose of this appraisal is to estimate the market value of the subject property as of December 3, 2017, to assist the client in determining at what price the property would sell if exposed for sale in the open market and to establish just compensation for possible sale to the owner of the property located at 6424 North Drake Avenue. The entire fee simple interest in the property is being appraised.

The sizes of 6424 North Drake Avenue and of the public alley, the area to be vacated located along the West boundary of 6424 North Drake Avenue are estimated based on a proposed architectural site plan diagram, a copy of which was provided by the village of Lincolnwood, on Sidwell maps, and on information provided by the Cook County Assessor.

This type of appraisal report has limited reliability for unintended users because it has a lower level of written detail. Additional information underlying the conclusions presented in this report is retained in the MaRous and Company work file.

Steven M. Elrod, Attorney At Law
Along Western Boundary of 6424 North Drake Avenue
December 5, 2017

Definition of Market Value

The definition of market value as defined by the Office of the Controller of the Currency under 12 CFR, Part 34, Subpart C, has been used.

Scope of Work, Appraisal Development, and Reporting Process

In order to develop the fair market value of the fee simple estate of the subject property, an inspection was made by Nenad Denovich and Michael MaRous on December 3, 2017. The sales comparison approach to value was used. Because the subject property is vacant land, the cost approach and the income capitalization approach were not applicable. Information from the immediate and general areas for vacant land sales was gathered; an attempt to confirm all sale information with at least one party to the transaction was made; and the information was analyzed by applying the sales comparison approach to value. No plat of survey, legal description or topographical maps were provided. Supporting documentation is retained in the MaRous and Company files.

History and Use

The subject property, a public alley, is owned by the Village of Lincolnwood. It has not been involved in an arm's length transaction within the last 3 years. As of the date of value, the subject property consists of improved land which consists of asphalt pavement and which is situated parallel to and along the West boundary of 6424 North Drake Avenue. The east-adjoining property is unimproved vacant land.

Extraordinary Assumptions and Limiting Conditions

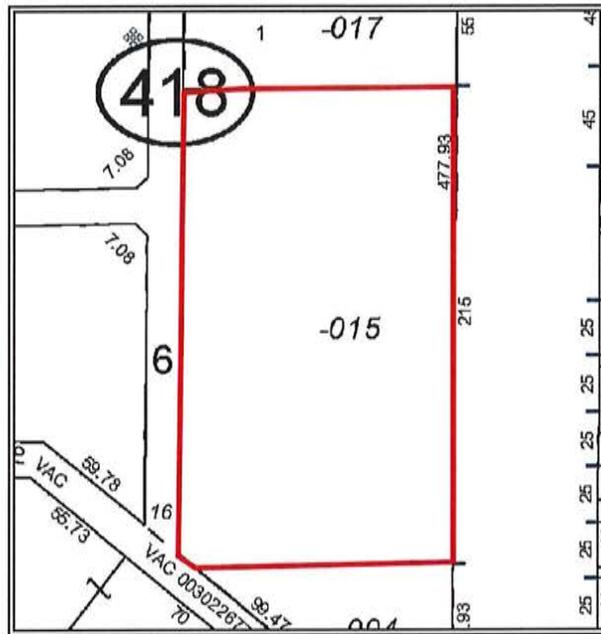
There are no extraordinary assumptions or limiting conditions. Please refer to the standard assumptions and limiting conditions in this report.

Property Description

The property to be vacated is a basically rectangular-shaped interior parcel situated immediately west of and parallel to the parcel identified as PIN 10-35-418-015. According to a the proposed architectural site diagram and public records, the property to be vacated contains approximately 3,669 square feet. Currently, the vacation area is improved with asphalt pavement and is basically level land. According to Flood Insurance Rate Map, Community Panel Number 17031C0402J, dated August 19, 2008, the appraised property is located in a zone X, which is considered to be an area of minimal flood risk hazard.

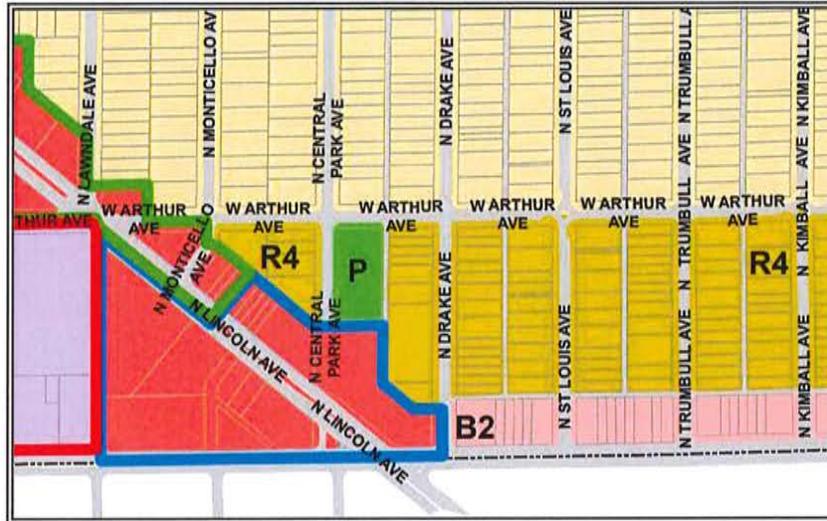
Steven M. Elrod, Attorney At Law
Along Western Boundary of 6424 North Drake Avenue
December 5, 2017

The property to which the vacated site is to be assembled is a rectangular-shaped interior parcel identified as PIN 10-35-418-015; prior to the assemblage, the site contains approximately 26,350 square feet. After assemblage the site will contain approximately 30,019 square feet of usable land. The site identified as PIN 10-35-418-015 is currently unimproved vacant land.



Both the area to be vacated and the east-adjointing property are zoned R-4, Residential District, by the Village of Lincolnwood. The minimum buildable lot size must contain 5,400 square feet. The minimum lot width is 60 feet for detached single-family houses with attached garages. The maximum building height is 35 feet for single-family residences and is 45 feet for multifamily uses. The maximum lot coverage is 35 percent for single-family houses. Religious institutions are permitted. After assemblage, it appears the site would be only slightly augmented.

Steven M. Elrod, Attorney At Law
Along Western Boundary of 6424 North Drake Avenue
December 5, 2017



Highest and Best Use

The property to be vacated has a basically rectangular shape, has a basically level topography, and is improved with asphalt pavement. By itself, the subject property to be vacated is not a buildable site. The highest and best use of the area to be vacated is assemblage with the east-adjointing property to augment the existing improved site. Therefore, the highest and best use of the subject property is to assemble it to the east-adjointing property.

Valuation Process and Analysis

Because the subject site is vacant land, the cost approach to value and the income capitalization approach to value are not applicable to the valuation. Only the sales comparison approach to value has been used, and we have estimated the value of the subject property as the contributory value to the assemblage created by the subject property with the east-adjacent property.

The following table summarizes the land sales used in the analysis. Descriptions of the land sales analyzed and other data supporting these conclusions are contained in MaRous and Company office files. These files are available for inspection by the client, such third parties as may be authorized by due process of law, and a duly authorized professional peer review committee.

Steven M. Elrod, Attorney At Law
 Along Western Boundary of 6424 North Drake Avenue
 December 5, 2017

LAND SALES SUMMARY

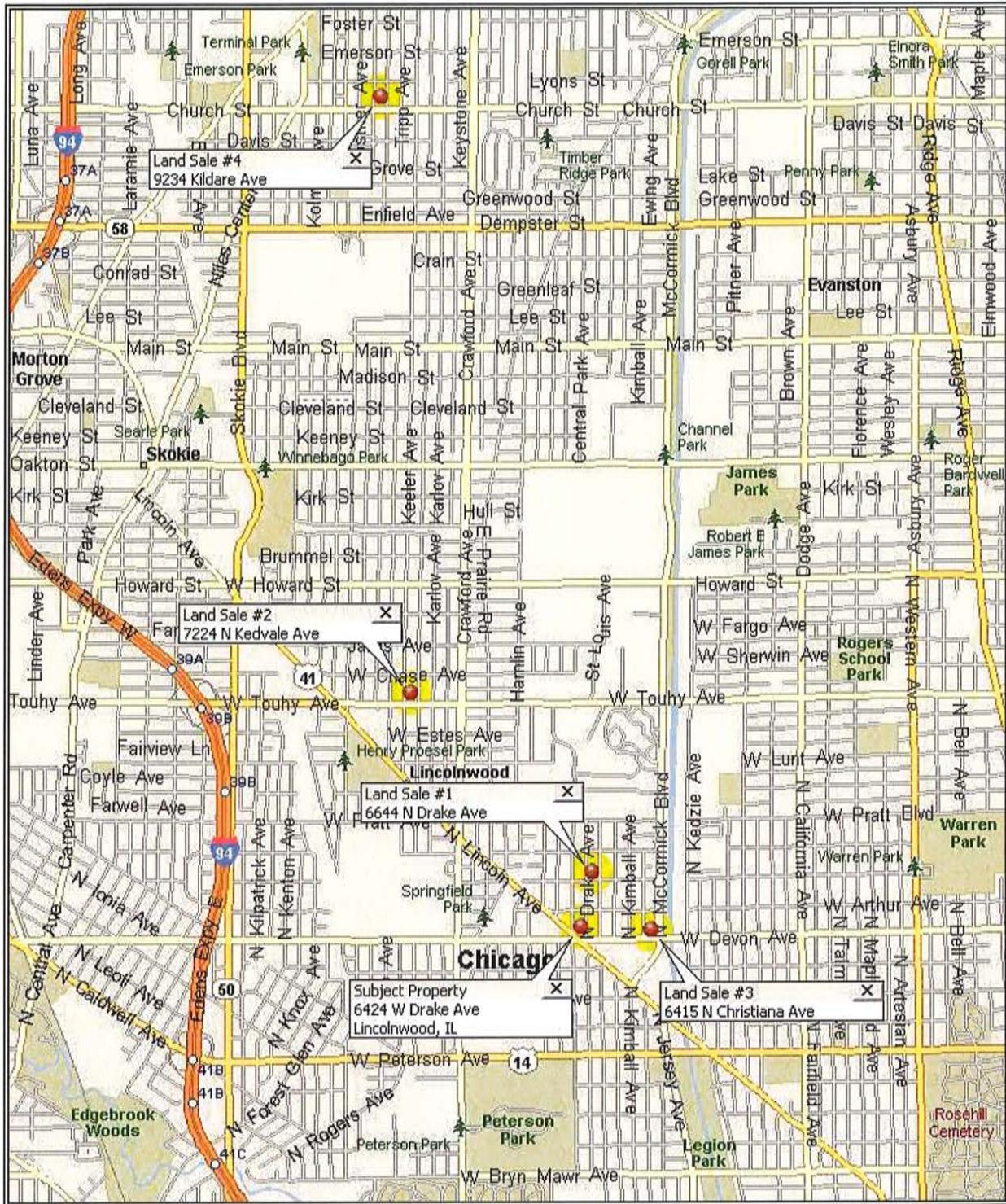
SALE NO.	LOCATION	SALE PRICE	SALE DATE	LOT SIZE (Sq. Ft.)	ZONING	PRICE PER SQ. FT.
1	6611 N Drake Ave. Lincolnwood, Illinois	\$295,000	2/16	8,118	R-3	\$36.34
2	7224 N. Kedvale Ave. Lincolnwood, Illinois	\$315,000	5/17	7,860	R-3	\$40.08
		\$255,000	1/17			\$32.44
3	6415 N. Christiana Ave. Lincolnwood, Illinois	\$175,000	5/13	7,500	R-4	\$23.33
4	9234 Kildare Ave. Skokie, Illinois	\$158,000	3/17	7,218	R-1	\$21.89
Subj.	Along West Boundary of 6424 W. Drake Ave. Lincolnwood, Illinois			3,669	R-4	

Land Sale #1 is located in Lincolnwood approximately one-half mile north of the subject property along the same arterial. As of the date of sale, this site was unimproved. The subject property, a public alley, abuts commercial uses near a major intersection. This sale is considered to have a superior residential location compared to that of the subject property.

Land Sale #2 is located in Lincolnwood approximately 1.5 miles northwest of the subject property. This site was sold twice within an approximately 4-month period. As of the date of sale, this site was unimproved. The subject property, a public alley, abuts commercial uses near a major intersection. This sale is considered to have a superior residential location compared to that of the subject property.

Land Sale #3 is located in Lincolnwood approximately three blocks northeast of the subject property. As of the date of sale, this site was unimproved. The subject property, a public alley, abuts commercial uses near a major intersection as does Land Sale #3. This sale is considered to have a similar residential location compared to that of the subject property. Additionally, this sale and the subject property share the same zoning classification. An upward adjustment for market conditions is warranted.

Land Sale #4 is located in the neighboring community of Skokie approximately 4 miles northwest of the subject property. As of the date of sale, this site was unimproved. The subject property, a public alley, abuts commercial uses near a major intersection. This sale is considered to have a superior residential location compared to that of the subject property.



LAND SALES LOCATION MAP

Steven M. Elrod, Attorney At Law
 Along Western Boundary of 6424 North Drake Avenue
 December 5, 2017

The immediate area of the subject property is developed with a mixture of older and newer single-family residences, multifamily buildings, and commercial retail buildings. The subject property abuts commercial uses along the west and south boundaries. The north boundary abuts a three-flat multifamily building, which is one of two multifamily uses along Drake Avenue in the immediate vicinity. Residential demand is considered to be relatively strong and stable.

The total area of the subject property is 3,669 square feet. The property to which the vacated site is to be assembled is an irregular-shaped interior parcel identified as PIN 10-35-418-015; prior to the assemblage, the site contains approximately 26,350 square feet. After assemblage the site will contain approximately 30,019 square feet of usable land. There is a limited number of recent transactions of land sales in the village of Lincolnwood. However, each of the limited number of land sales gathered in the sales comparison approach to value section of this report has similar physical and locational characteristics compared to the subject property. The highest and best use after assembling the subject to the east-adjacent property located at 6424 North Drake Avenue would be to augment the overall site. It does not appear the public alley vacation would impede access to any neighboring uses.

After consideration of size, location, time of sale, and other factors, we estimate that the unit value of the existing site of 6424 North Drake Avenue (PIN 10-35-418-015) is \$25.00 per square foot, and of the assembled whole is \$25.00 per square foot of land area. The following table summarizes the estimated values.

	SIZE (SQ. FT.)	ESTIMATED VALUE PER SQ. FT.	TOTAL
Estimated Value of the Whole*	30,019	\$25.00	\$750,475
Estimated Value of Existing Site*	<u>26,350</u>	\$25.00	<u>\$658,750</u>
Just Compensation - Value of the Whole Less Value of Existing Residential Site	3,669		\$91,725
*Net Usable Site			

The indicated value of the fee simple interest in the subject property for purposes of just compensation is (rounded) \$92,000.

Steven M. Elrod, Attorney At Law
Along Western Boundary of 6424 North Drake Avenue
December 5, 2017

Overall Value Conclusion

The subject property is situated in a good residential location in the village of Lincolnwood. If vacated and assembled, the subject site would offer utility to the east-adjointing parcel to allow for a larger, more functional site.

Therefore, based upon the factors reviewed herein and the analysis of the data in MaRous and Company work files, the market value of the fee simple interest in the subject property as of December 3, 2017, is:

NINETY-TWO THOUSAND DOLLARS
(\$92,000)

This value is contingent upon the estimated marketing time of 6 to 9 months. It is a gross value and no allowance was made for brokerage commissions or costs of utilities, real estate taxes, or other carrying costs during the marketing period.

This report is a restricted appraisal report prepared under the guidelines of USPAP and the analysis and opinions leading to the conclusions presented in it cannot be understood properly without additional information in the MaRous and Company work files. Its use is intended solely for Steven M. Elrod and his client; any other user is considered to be an unintended user. Any use of this restricted appraisal report without the original signatures invalidates the certificate of appraisal.

Respectfully submitted,

MaRous & Company


Nenad Denovich, Field Appraiser

Illinois Certified General - #553.001863 (9/19 expiration)


Michael S. MaRous, MAI, CRE

Illinois Certified General - #553.000141 (9/19 expiration)

ASSUMPTIONS AND LIMITING CONDITIONS

Reporting Requirements

This restricted appraisal report is intended to comply with the reporting requirements set forth under Standard Rule 2-2© of the Uniform Standards of Professional Appraisal Practice for a restricted appraisal report. As such, this report might not include full descriptions of the data, reasoning, and analyses that were used in the appraisal process to develop the opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the MaRous and Company files. The information contained in this report is specific to the needs of the client and is for the intended use stated in this report. MaRous and Company is not responsible for unauthorized use of this report.

Title and Survey

It is assumed that the title to the subject property is good and marketable. The survey provided to MaRous and Company is assumed to be the most current available, and the legal description provided to MaRous and Company is assumed to be essentially correct for purposes of this appraisal report; however, MaRous and Company reserves the right to adjust values accordingly. The value estimate is given without regard to any questions of title, boundaries, encumbrances, or encroachments.

Hazardous Waste

Unless otherwise stated in this restricted appraisal report, MaRous and Company has no knowledge of the existence of hazardous environmental conditions or substances, including and without limitation asbestos, polychlorinated biphenyls, petroleum leakage, and agricultural chemicals that may or may not be present on the subject property. Moreover, MaRous and Company appraisers are not qualified to test for these substances or conditions. Because the presence of substances such as asbestos, urea formaldehyde foam insulation, and other hazardous substances and environmental conditions may affect the value of a property, the value estimated is predicated on the assumption that no such condition exists on or in the subject property or in such proximity thereto that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them.

Hidden Defects

All structures and mechanical components are assumed to be in sound, operable condition unless otherwise stated, and the value conclusions are based on that assumption. Additionally, the value estimate assumes that there are no soil or subsoil conditions that would cause a loss in value. No responsibility is assumed for architectural, structural, engineering, or mechanical matters, and MaRous and Company appraisers are not qualified to make professional judgments in these areas.

Management

Competent and prudent management of the subject property is assumed. The estimate of value reported herein assumes that the assessments are entirely paid and that the property is free and clear of such assessments. Opinions and statistics furnished by others during this investigation are assumed to be correct, and no responsibility is assumed for their accuracy.

Market Conditions

The value conclusions contained herein are based on the research of market conditions as of the valuation date. Every effort has been made to consider the effect of predictable governmental actions, as well as any environmental or ecological concerns, on the subject property; however, no responsibility is assumed for subsequent changes in the local or national economy or for subsequent changes in local market conditions resulting from local or national economy changes. Because this is an appraisal of market value and is not a feasibility study, no responsibility can be assumed for the ability of the property owner to find a purchaser of the subject property at the appraised value.

ADA Compliance

The Americans with Disabilities Act (ADA) became effective January 26, 1992. No specific determination of compliance with the various detailed requirements of the ADA was made for the subject property. It is possible that a complete compliance survey of the subject property together with a detailed analysis of the ADA requirements could show that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative affect upon the value of the subject property. Because no direct evidence relating to this issue was developed, possible lack of compliance with the ADA was not taken into account in estimating value.

Other

No right of expert testimony is included. An authentic copy of this restricted appraisal report is signed in ink on the last page of the certificate of appraisal; be aware of the potential for alterations on copies. Exhibits, including maps, site plans, and photographs, are provided for informational purposes and are not necessarily to scale. Nothing contained in this restricted appraisal report, particularly the valuation conclusions, the identity of any appraisers, and any reference to the Appraisal Institute or the MAI designation, is to be conveyed to a third party or to the public through advertising, public relations, news, sales, or other medium without the written consent and approval of MaRous and Company. If such consent is secured, the report must be used in its entirety and cannot be altered in any way and must include all limiting conditions, certifications, and qualifications.

CERTIFICATION

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have not performed appraisal services regarding the property that is the subject of this report within the 3-year period immediately preceding acceptance of this assignment.
5. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
6. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. We have the knowledge and experience necessary to complete this report competently.
9. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with our understanding of the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, which include the *Uniform Standards of Professional Appraisal Practice*.
10. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
11. We have made a personal inspection of the property that is the subject of this report.
12. As of the date of this report, we have completed the continuing education program of the Appraisal Institute.

MaRous & Company

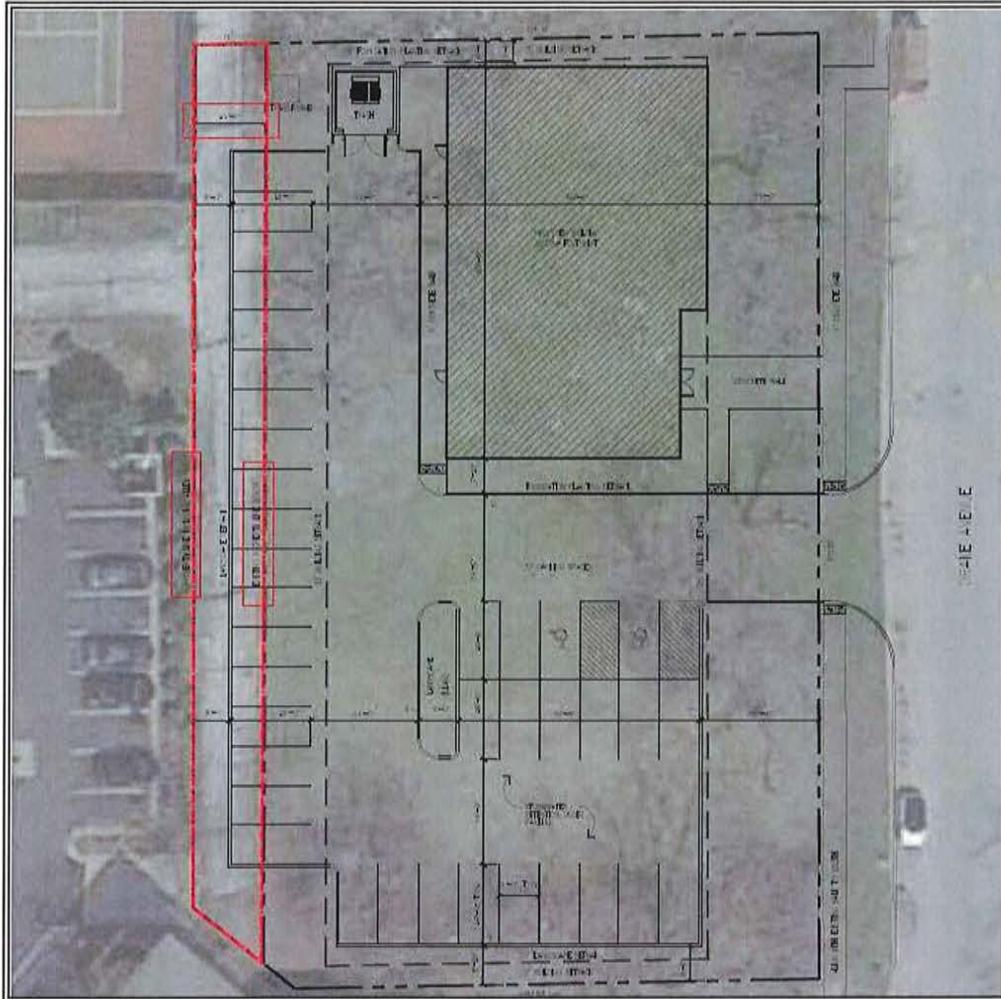


Nenad Denovich, Field Appraiser
Illinois Certified General - #553.001863 (9/19 expiration)

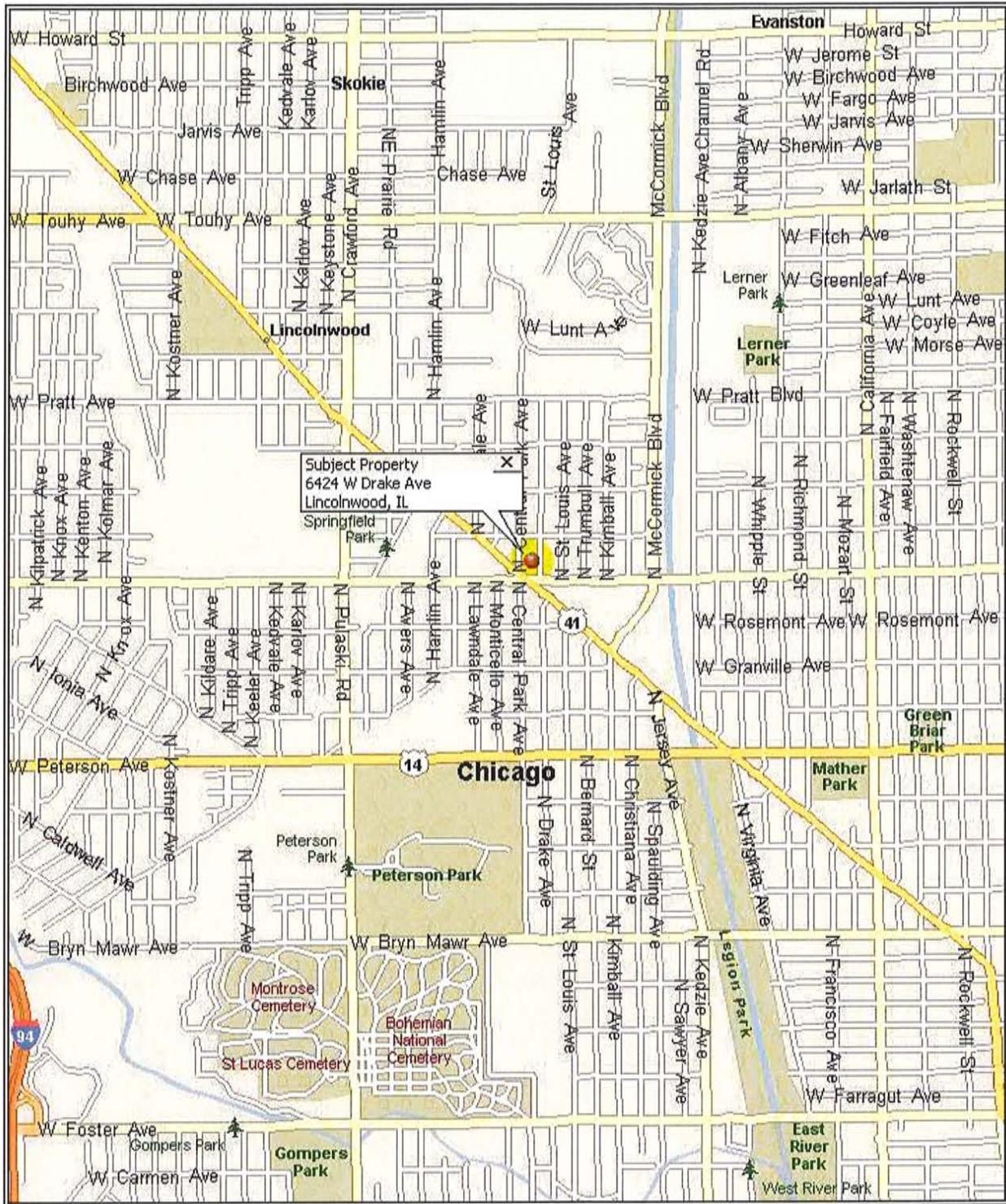


Michael S. MaRous, MAI, CRE
Illinois Certified General - #553.000141 (9/19 expiration)

ADDENDA



SITE PLAN



SUBJECT PROPERTY LOCATION MAP

QUALIFICATIONS

Nenad Denovich

Nenad Denovich has been active in real estate appraisal since 2005 and is a General Associate Member of the Appraisal Institute, Number 491319. He is also a State of Illinois Certified General Real Estate Appraiser, License Number 553.001863 (9/19). Mr. Denovich has appraised a variety of types of properties for financing, condemnation, estate planning, real estate tax appeal, acquisition, and disposition purposes. He has completed Appraisal Institute education programs that lead to the MAI designation.

Appraisal Experience

- Heavy Industrial
- Warehouse-distribution Buildings
- Light Manufacturing
- Multitenant Office-flex space
- Mixed-use Properties
- Hotels/Motels
- Shopping Centers
- Multitenant Office Buildings
- Gasoline Stations
- 2-4 Unit Apartment Buildings
- Restaurants
- Special-purpose Properties
- Proposed Construction
- Subdivision Analysis
- Vacant Land
- Litigation Support
- Big Box Retail
- Single-family Residential
- Easements
- Multifamily Residential
- Commercial/residential Properties
- Theaters

Professional Designations and Affiliations

General Associate Member, Appraisal Institute, Number 491319
Illinois Certified General Appraiser, License Number 553.001863 (9/17)

Education

Bachelor of General Studies, Economics, University of Kansas, 2004

MICHAEL S. MAROUS
STATEMENT OF QUALIFICATIONS

Michael S. MaRous, MAI, CRE, is president and owner of MaRous and Company. He has appraised more than \$15 billion worth of primarily investment-grade real estate in more than 25 states. In addition to providing documented appraisals, he has served as an expert witness in litigation proceedings for many law firms; financial institutions; corporations; builders and developers; architects; local, state, county, and federal governments and agencies; and school districts in the Chicago metropolitan area. His experience in partial interest, condemnation, damage impact, easement (including aerial and subsurface), marital dissolutions, bankruptcy proceedings, and other valuation issues is extensive. He has provided highest and best use, marketability, and feasibility studies for a variety of properties. Many of the largest redevelopment areas and public projects, including Interstate 355, the Chicago O'Hare International Airport expansion, the Chicago Midway International Airport expansion, and the McCormick Place expansion, are part of Mr. MaRous' experience. Mr. MaRous also has experience in regard to mediation and arbitration proceedings. Also, he has purchased and developed real estate for his own account.

APPRAISAL AND CONSULTATION EXPERIENCE

Business Parks Distribution Centers	Industrial Properties Manufacturing Facilities Research Facilities	Self-storage Facilities Warehouses
Auto Sales/Service Facilities Banquet Halls Big Box Stores	Commercial Properties Gasoline Stations Hotels and Motels Office Buildings	Restaurants Shopping Centers Theaters
Bowling Alleys Cemeteries Farms Golf Courses Lumber Yards	Special-Purpose Properties Nurseries Riverboat Gambling Facilities Schools Stadium Expansion Issues	Tank Farms Underground Gas Aquifers Utility Corridors Waste Transfer Facilities Wind Farms
Apartment Complexes Condominium Conversions	Residential Properties Condominium Developments Single-family Residences	Subdivision Developments Townhouse Developments
Agricultural Alleys Commercial	Vacant Land Easements Industrial Residential	Rights of Way Streets Vacations
Corporations Financial Institutions	Clients Law Firms Not-for-profit Associations	Private Parties Public Entities

EDUCATION

B.S., Urban Land Economics, University of Illinois, Urbana-Champaign
Continuing education seminars and programs through the Appraisal Institute
and the American Society of Real Estate Counselors, and real estate brokerage classes

PUBLIC SERVICE

Mayor, City of Park Ridge, Illinois (2003-2005)
Alderman, City of Park Ridge, including Liaison to the Zoning Board of Appeals and Planning and Zoning and
Chairman of the Finance and Public Safety Committees (1997-2005)

PROFESSIONAL AFFILIATIONS AND LICENSES

Appraisal Institute, MAI designation, Number 6159
Counselors of Real Estate, CRE designation
Illinois Certified General Real Estate Appraiser, License Number 553.000141 (9/19)
Indiana Certified General Real Estate Appraiser, License Number CG41600008 (6/18)
Wisconsin Certified General Real Estate Appraiser, License Number 1874-10 (12/17)
Minnesota Certified General Real Estate Appraiser, License Number 40330656 (8/18)
Pennsylvania Certified General Real Estate Appraiser, License Number GA004181 (6/19)
Iowa Certified General Real Estate Appraiser, License Number CG03468 (6/19)
Licensed Real Estate Broker (Illinois)

PROFESSIONAL ACTIVITIES

Mr. MaRous is past president of the Chicago Chapter of the Appraisal Institute. He is former chair and vice chair of the National Publications Committee and has sat on the board of *The Appraisal Journal*. In addition, he has served on and/or chaired more than 15 other committees of the Appraisal Institute, the Society of Real Estate Appraisers, and the American Institute of Real Estate Appraisers.

Mr. MaRous served as chair of the Midwest Chapter of the Counselors of Real Estate in 2006 and 2007 and has served on the National CRE Board since 2011. He sat on the Midwest Chapter Board of Directors, the Editorial Board of *Real Estate Issues*, and on various other committees.

Mr. MaRous also is past president of the Illinois Coalition of Appraisal Professionals. He also has been involved with many other professional associations, including the Real Estate Counseling Group of America, the Northwest Suburban Real Estate Board, the National Association of Real Estate Boards, and the Northern Illinois Commercial Association of Realtors.

PUBLICATIONS AND PROFESSIONAL RECOGNITION

Mr. MaRous has spoken at more than 20 programs and seminars related to real estate appraisal and valuation.

Author

"Low-income Housing in Our Backyards," *The Appraisal Journal*, January 1996
"The Appraisal Institute Moves Forward," *Illinois Real Estate Magazine*, December 1993
"Chicago Chapter, Appraisal Institute," *Northern Illinois Real Estate Magazine*, February 1993
"Independent Appraisals Can Help Protect Your Financial Base," *Illinois School Board Journal*, November-December 1990
"What Real Estate Appraisals Can Do For School Districts," *School Business Affairs*, October 1990

Awards

Appraisal Institute - George L. Schmutz Memorial Award, 2001
Chicago Chapter of the Appraisal Institute - Heritage Award, 2000
Chicago Chapter of the Appraisal Institute - Herman O. Walther, 1987 (Distinguished Chapter Member)

Reviewer or Citation in the Following Books

Rural Property Valuation, 2017
Real Estate Damages, 1999, 2008, and 2016
Golf Property Analysis and Valuation, 2016
Dictionary of Real Estate Appraisal, Fourth Edition, 2002 and Sixth Edition, 2015
Market Analysis for Real Estate, 2005 and 2014
Appraisal of Real Estate, Twelfth Edition, 2001, Thirteenth Edition, 2008, Fourteenth Edition, 2013
Shopping Center Appraisal and Analysis, 2009
Subdivision Valuation, 2008
Valuation of Apartment Properties, 2007
Valuation of Billboards, 2006
Appraising Industrial Properties, 2005
Valuation of Market Studies for Affordable Housing, 2005
Valuing Undivided Interest in Real Property: Partnerships and Cotenancies, 2004
Analysis and Valuation of Golf Courses and Country Clubs, 2003
Valuing Contaminated Properties: An Appraisal Institute Anthology, 2002
Hotels and Motels: Valuation and Market Studies, 2001
Land Valuation: Adjustment Procedures and Assignments, 2001
Appraisal of Rural Property, Second Edition, 2000
Capitalization Theory and Techniques, Study Guide, Second Edition, 2000
Guide to Appraisal Valuation Modeling Land, 2000
Appraising Residential Properties, Third Edition, 1999
Business of Show Business: The Valuation of Movie Theaters, 1999
GIS in Real Estate: Integrating, Analyzing and Presenting Locational Information, 1998
Market Analysis for Valuation Appraisals, 1995

REPRESENTATIVE WORK OF MICHAEL S. MAROUS

Headquarters/Corporate Office Facilities in Illinois

Fortune 500 corporation facility, 200,000 sq. ft., Libertyville
Corporate headquarters, 300,000 sq. ft. and 500,000 sq. ft., Chicago
Fortune 500 corporation facility, 450,000 sq. ft., Northfield
Major airline headquarters, 1,100,000 million sq. ft. on 47 acres, Elk Grove Village
Former communications facility, 1,400,000 million sq. ft. on 62 acres, Skokie and Niles
Corporate Headquarters, 1,500,000+ sq. ft., Lake County
Former Sears Headquarters Redevelopment Project, Chicago

Office Buildings in Chicago

401 South LaSalle Street, 140,000 sq. ft.
134 North LaSalle Street, 260,000 sq. ft.
333 North Michigan Avenue, 260,000 sq. ft.
171 West Randolph Street, 360,000 sq. ft.
20 West Kinzie Street, 405,000 sq. ft.
55 East Washington Street, 500,000 sq. ft.
10 South LaSalle Street, 870,000 sq. ft.
222 West Adams Street, 1,000,000 sq. ft.
141 West Jackson Boulevard, 1,065,000 sq. ft.
333 South Wabash Avenue, 1,125,000 sq. ft.
155 North Wacker Drive, 1,406,000 sq. ft.
70 West Madison Street, 1,430,000 sq. ft.
111 South Wacker Drive, 1,454,000 sq. ft.
175 West Jackson Boulevard, 1,450,000 sq. ft.
227 West Monroe Street, 1,800,000 sq. ft.
10 South Dearborn Street, 1,900,000 sq. ft.

Hotels in Chicago

One West Wacker Drive (Renaissance Chicago Hotel)
10 East Grand Avenue (Hilton Garden Inn)
106 East Superior Street (Peninsula Hotel)
120 East Delaware Place (Four Seasons)
140 East Walton Place (The Drake Hotel)
160 East Pearson Street (Ritz Carlton)
301 East North Water Street (Sheraton Hotel)
320 North Dearborn Street (Westin Chicago River North)
401 North Wabash Avenue (Trump Tower)
505 North Michigan Avenue (Hotel InterContinental)
676 North Michigan Avenue (Omni Chicago Hotel)
800 North Michigan Avenue (The Park Hyatt)

Large Industrial Properties in Illinois

Large industrial complexes, 400,000 sq. ft., 87th Street and Greenwood Avenue, Chicago
Distribution warehouse, 580,000 sq. ft. on 62 acres, Champaign
Publishing house, 700,000 sq. ft. on 195 acres, U.S. Route 45, Mattoon
AM Chicago International, 700,000± sq. ft. on 41 acres, 1800 West Central Road, Mount Prospect
Nestlé distribution center, 860,000 sq. ft. on 153 acres, DeKalb
U.S. Government Services Administration distribution facility, 860,000 sq. ft., 76th Street and Kostner Avenue, Chicago
Fortune 500 company distribution center, 1,000,000 sq. ft., Elk Grove Village
Caterpillar Distribution Facility, 2,231,000 sq. ft., Morton
Self-storage facilities, various Chicago metropolitan locations

Airport Related Properties

Mr. MaRous has performed valuations on more than 100 parcels in and around Chicago O'Hare International Airport, Chicago Midway International Airport, Palwaukee Municipal Airport, Chicago Aurora Airport, DuPage Airport, and Lambert-St. Louis International Airport

Vacant Land in Illinois

15 acres, office, Northbrook	250 acres, Island Lake
20 acres, residential, Glenview	450 acres, residential, Wauconda
25 acres, Hinsdale	475± acres, various uses, Lake County
55 acres, mixed-use, Darien	650 acres, Hawthorne Woods
68 acres, Roosevelt Road and the Chicago River	650 acres, Waukegan/Libertyville
75 acres, I-88 at I-355, Downers Grove	800 acres, Woodridge
100± acres, various uses, Lake County	900 acres, Matteson
100 acres, Western Springs	1,000± acres, Batavia area
140 acres, Flossmoor	2,000± acres, Northern Lake County
142 acres, residential, Lake County	5,000 acres, southwest suburban Chicago area
160 acres, residential, Cary	Landfill expansion, Lake County
200 acres, mixed-use, Bartlett	

Retail Facilities

20 Community shopping centers, various Chicago metropolitan locations
Big-box uses, various Chicago metropolitan locations and the Midwest
Gasoline Stations, various Chicago metropolitan locations
More than 50 single-tenant retail facilities larger than 80,000 sq. ft., various Midwest metropolitan locations

Residential Projects

Federal Square townhouse development project, 118 units, \$15,000,000+ sq. ft. project, Dearborn Place, Chicago
Marketability and feasibility study, 219 East Lake Shore Drive, Chicago
Riverview II, Chicago; Old Town East and West, Chicago; Museum Park Lofts II, Museum Park Tower 4, University Commons, Two
River Place, River Place on the Park, Chicago;
Timber Trails, Western Springs, Illinois

Market Impact Studies

Land-fill projects in various locations
Quarry expansions in Boone and Kendall counties
Commercial development and/or parking lots in various communities
Zoning changes in various communities
Waste transfer stations in various communities

Energy Projects

Oakwood Hills Energy Center, McHenry County Illinois, market impact analysis
Walnut Ridge Wind Farm, Bureau County, Illinois, market impact analysis
Twin Forks Wind Farm, Macon County, Illinois, market impact analysis
Twin Groves Wind Farm, McLean County, Illinois, market impact analysis
Otter Creek Wind Farm, LaSalle County, Illinois, market impact analysis
Pleasant Ridge Wind Farm, Livingston County, Illinois, consulting
Commonwealth Edison, high tension lines, market impact analysis
Lackawanna Power Plant, Lackawanna County, Pennsylvania, market impact analysis
Brookhaven, New York, solar energy production facility, consulting

Business and Industrial Parks

Chevy Chase Business Park, 30 acres, Buffalo Grove
Carol Point Business Center, 300-acre industrial park, Carol Stream, \$125,000,000+ project
Internationale Centre, approximately 1,000 acre-multiuse business park, Woodridge

Properties in Other States

330,000 sq. ft., Newport Beach, California
Former government depot/warehouse and distribution center, 2,500,000 sq. ft. on 100+ acres, Ohio
Shopping Center, St. Louis, Missouri
Office Building, Clayton, Missouri
Condominium Development, New York, New York
Hormel Foods, various Midwest locations
Wisconsin Properties including Lowes, Menards, Milwaukee Zoo, CVS Pharmacies in Milwaukee, Dairyland Race Track, Major
Industrial Property in Manawa , Class A Office Buildings and Vacant Land

REPRESENTATIVE CLIENT LISTING OF MICHAEL S. MAROUS

Law Firms

Alschuler, Simantz & Hem LLC	Gould & Ratner LLP	Righeimer, Martin & Cinquino, P.C.
Ancel, Glink, Diamond, Bush, DiClanni & Krafthefer	Greenberg Traurig LLP	Robbins, Salomon & Patt, Ltd.
Arnstein & Lehr LLP	Helm & Wagner	Rosenfeld Hafron Shapiro & Farmer
Berger, Newmark & Fenchel P.C.	Robert Hill Law, Ltd.	Rosenthal, Murphey, Coblentz & Donahue
Berger Schatz	Hinshaw & Culbertson LLP	Rubin & Associates, P.C.
Botti Law Firm, P.C.	Holland & Knight LLP	Ryan and Ryan, P.C.
Carmody MacDonald P.C.	Ice Miller LLP	Reed Smith LLP
Carr Law Firm	Jenner & Block	Sarnoff & Baccash
Crane, Heyman, Simon, Welch & Clar	Katz & Stefani, LLC	Scariano, Himes & Petrarca, Chtd.
Daley & Georges, Ltd.	Kinnally, Flaherty, Krentz, Loran, Hodge & Mazur PC	Schiff Hardin LLP
Day, Robert & Morrison, P.C.	Kirkland & Ellis LLP	Schiller, DuCanto & Fleck LLP
Dentons US LLP	Klein, Thorpe & Jenkins, Ltd.	Schirott, Luetkehans & Garner, LLC
DiMonte & Lizak LLC	McDermott, Will & Emery	Schuyler, Roche & Crisham, P.C.
DLA Piper	Mayer Brown	Sidley Austin LLP
Dreyer, Foote, Streit, Furgason & Slocum, P.A.	Michael Best & Friedrich LLP	Storino, Ramello & Durkin
Drinker, Biddle & Reath LLP	Morrison & Morrison, Ltd.	Thomas M. Tully & Associates
Figliulo & Silverman, P.C.	Bryan E. Mraz & Associates	Thompson Coburn, LLP
Foran, O'Toole & Burke LLC	Neal, Gerber & Eisenberg, LLP	Tuttle, Vedral & Collins, P.C.
Franczek Radelet P.C.	Neal & Leroy LLC	Vedder Price
Fredrikson & Byron, P.A.	O'Donnell Haddad LLC	von Briesen & Roper, SC
Freeborn & Peters LLP	Prendergast & DelPrincipe	Winston & Strawn LLP
	Rathje & Woodward, LLC	Worsek & Vihon LLP

Financial Institutions

AmericaUnited Bank Trust	First Midwest Bank	Midwest Bank
BMO Harris Bank	First State Financial	Northern Trust
Charter One	Glenview State Bank	Northview Bank & Trust
Citibank	Itasca Bank & Trust Co.	The Private Bank
Cole Taylor Bank	Lake Forest Bank & Trust Co.	Wintrust
First Bank of Highland Park	MB Financial Bank	
First Financial Northwest Bank		

Corporations

Advocate Health Care System	Citgo Petroleum Corporation	Lowe's Companies, Inc.
Alliance Property Consultants	CorLands	Loyola University Health System
American Stores Company	CVS	Marathon Oil Corporation
Archdiocese of Chicago	Edward R. James Partners, LLC	Meijer, Inc.
Arthur J. Rogers and Company	Enterprise Development Corporation	Menards
Avangrid Renewables, LLC	Enterprise Leasing Company	Mesirow Stein Real Estate, Inc.
BHE Renewables	Exxon Mobil Corporation	Paradigm Tax Group
BP Amoco Oil Company	Hamilton Partners	Prime Group Realty Trust
Christopher B. Burke Engineering, Ltd.	Hollister Corporation	Public Storage Corporation
Cambridge Homes	Imperial Realty Company	RREEF Corporation
Canadian National Railroad	Invenergy LLC	Shell Oil Company
Capital Realty Services, Inc.	Kimco Realty Corporation	Union Pacific Railroad Company
Chicago Cubs	Kinder Morgan, Inc.	United Airlines, Inc.
Children's Memorial Hospital	Lakewood Homes	
Chrysler Realty Corporation		

Public Entities

Illinois Local Governments and Agencies

Village of Arlington Heights	Glenview Park District	City of Palos Hills
Village of Barrington	Village of Harwood Heights	City of Peoria
Village of Bartlett	City of Highland Park	City of Prospect Heights
Village of Bellwood	Village of Hinsdale	City of Rolling Meadows
Village of Brookfield	Village of Inverness	Village of Rosemont
Village of Burr Ridge	Village of Kenilworth	City of St. Charles
City of Canton	Village of Kildeer	Village of Schaumburg
Village of Cary	Village of Lake Zurich	Village of Schiller Park
City of Chicago	Leyden Township	Village of Skokie
Village of Deer Park	Village of Lincolnshire	Village of South Barrington
City of Des Plaines	Village of Lincolnwood	Village of Streamwood
Des Plaines Park District	Village of Morton Grove	Metropolitan Water Reclamation
Downers Grove Park District	Village of Mount Prospect	District of Greater Chicago
City of Elgin	Village of North Aurora	City of Waukegan
Elk Grove Village	Village of Northbrook	Village of Wheeling
City of Elmhurst	City of North Chicago	Village of Wilmette
Village of Elmwood Park	Village of Northfield	Village of Willowbrook
City of Evanston	Northfield Township	Village of Winnetka
Village of Forest Park	Village of Oak Brook	Village of Woodridge
Village of Franklin Park	Village of Orland Park	
Village of Glenview		

County Governments and Agencies

Boone County State's Attorney's Office	Forest Preserve District of DuPage County	Lake County
Forest Preserve of Cook County	Kane County	Lake County Forest Preserve District
Cook County State's Attorney's Office	Kendall County Board of Review	Lake County State's Attorney's Office
DuPage County Board of Review		Morton Township
		Peoria County

State and Federal Government Agencies

Federal Deposit Insurance Corporation	Illinois Housing Development Authority	Internal Revenue Service
U.S. General Services Administration	Illinois State Toll Highway Authority	The U.S. Postal Service

Schools

Argo Community High School District No. 217	Elk Grove Community Consolidated District No. 59	Northwestern University
Arlington Heights District No. 25	Elmhurst Community Unit School District No. 205	Orland Park School District No. 135
Township High School District No. 214, Arlington Heights	Glen Ellyn School District No. 41	Palatine High School District #211
Barrington Community Unit District No. 220	Glenbard High School District No. 87	Rhodes School District No. 84-1/2
Chicago Board of Education	Indian Springs School District No. 109	Riverside-Brookfield High School District No. 208
Chicago Ridge District No. 127½	LaGrange School District No. 105	Rosalind Franklin University
College of Lake County	Lake Forest Academy	Roselle School District No. 12
Community Consolidated School District No. 15	Leyden Community High School District No. 212	Schaumburg Community Consolidated District No. 54
Community Consolidated School District No. 146	Loyola University	Sunset Ridge School District No. 29
Community School District No. 200	Lyons Township High School District No. 204	Township High School District No. 211
Consolidated High School District No. 230	Maine Township High School District No. 207	Township High School District No. 214
Darien District No. 61	Niles Elementary District No. 71	Triton College
DePaul University	North Shore District No. 112, Highland Park	University of Illinois
		Wheeling Community Consolidated District No. 21
		Wilmette District No. 39

Potential Village Action Regarding:

***Repeal of a 1955 Ordinance Vacating
the North-South Alley on the Block
bound by Lincoln, Drake, Arthur and
Central Park, and:***

***Adoption of an Ordinance Vacating a
Portion of That Same Alley***

1955 Alley Configuration and Vacation



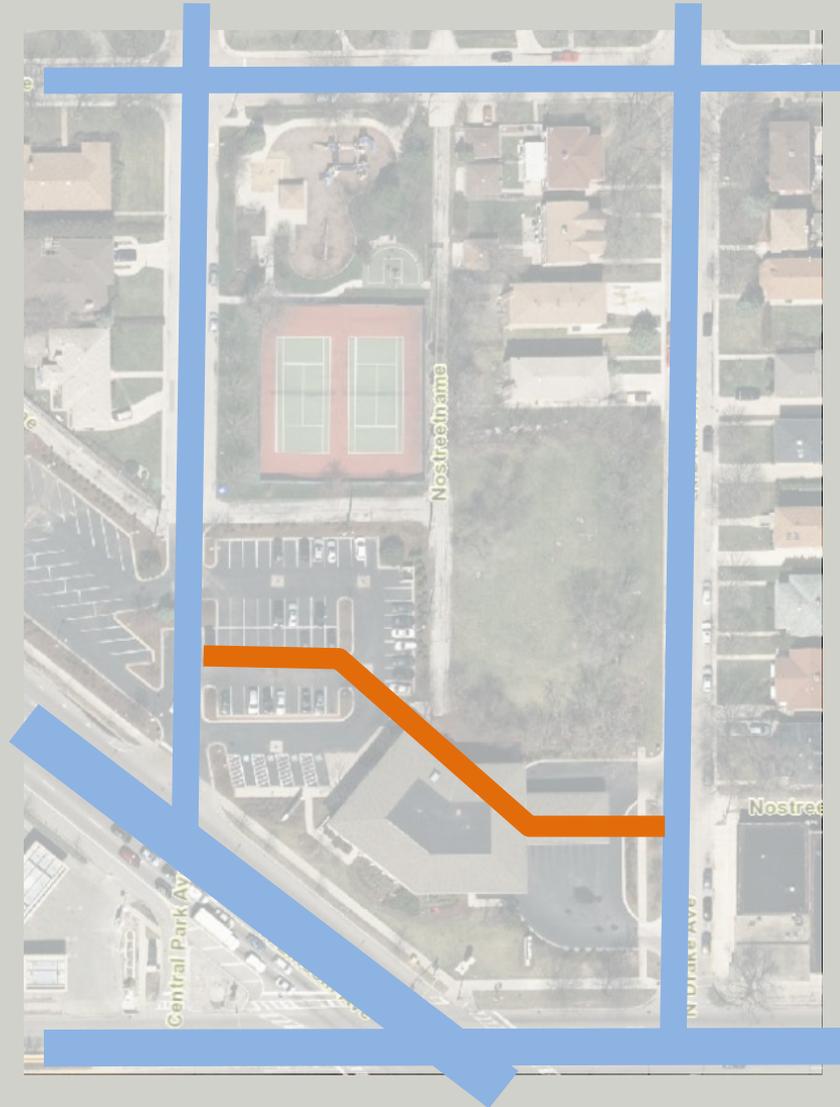
Pre-1955 Configuration



Resulting Post-1955 Configuration

1955 Alley Configuration and Vacation

- 1955 Ordinance was never recorded
- Abutting properties never claimed ownership
- Alley has continued to provide garage access to residences
- Village continues to maintain and service the alley



Resulting Post-1955 Configuration

Current Configuration

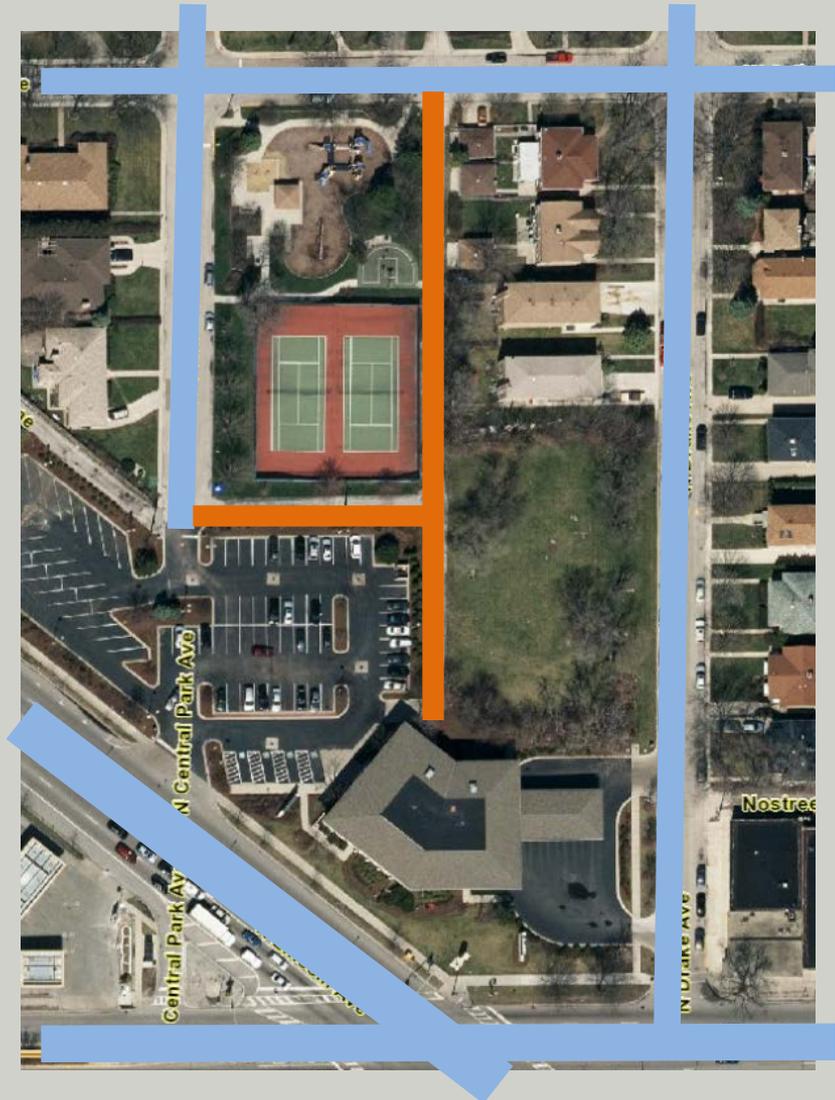
- East-west alley segment added
- Other alley segments and a portion of Central Park Avenue vacated in 2003



Current Configuration

Recommended Action

- **Repeal the 1955 Ordinance**
 - Ensure garage access for residents along the north end of the block
 - Consider vacation request for 6424 North Drake Avenue



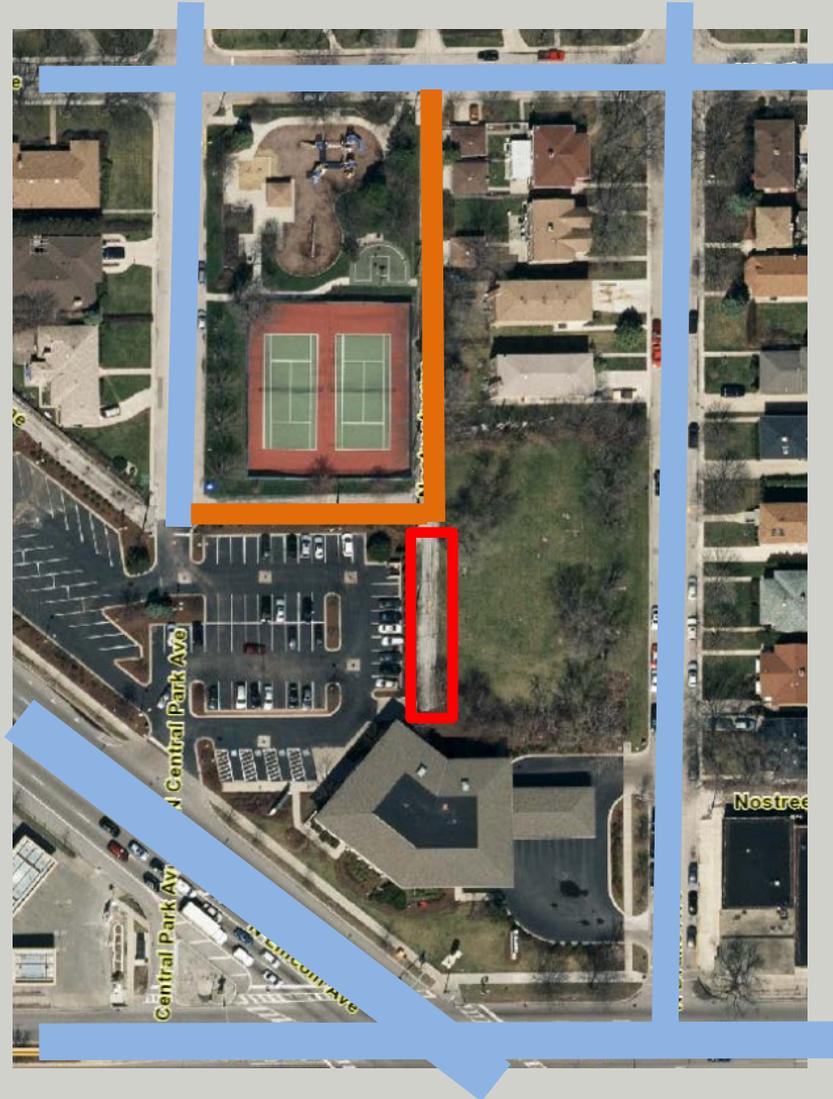
Current Configuration

Recommended Action

***Adoption of an Ordinance
Repealing Ordinance #1033
(adopted May 19, 1955) Vacating
the North-South Alley on the
Block bound by Lincoln Avenue,
Drake Avenue, Arthur Avenue
and Central Park Avenue***

Current Request for Vacation

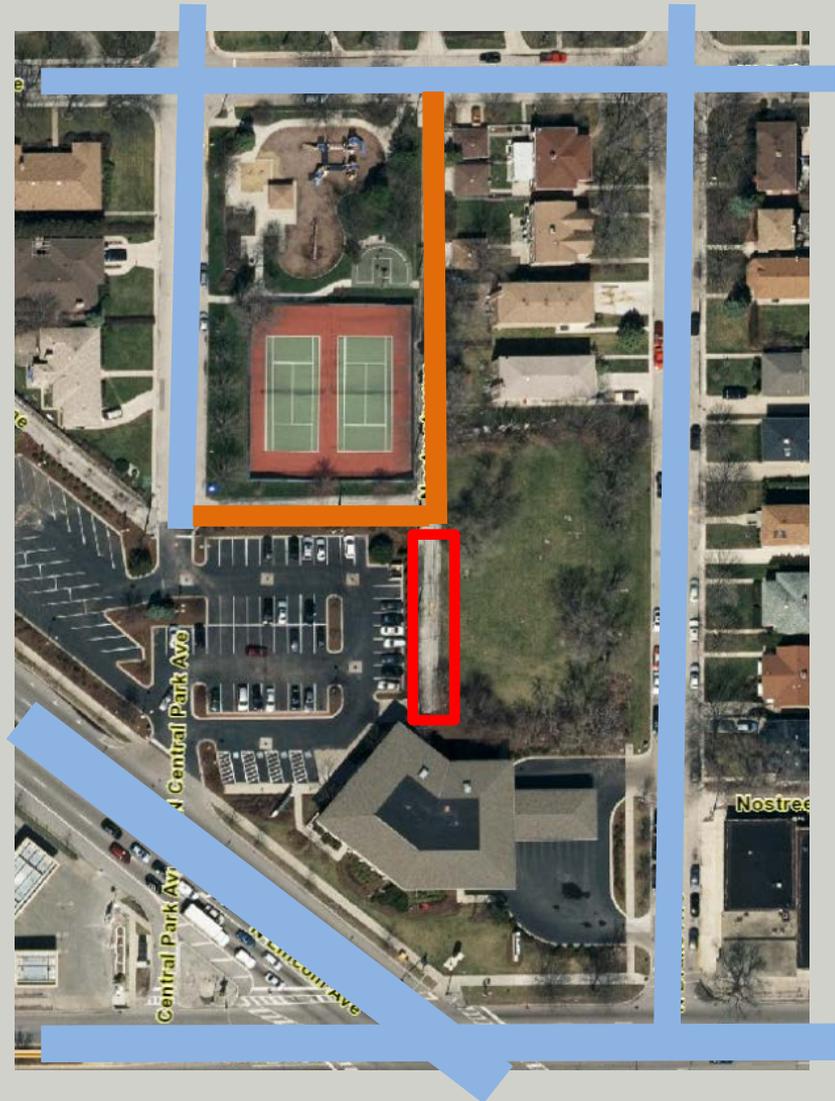
- Vacate the southern 143' of the north-south alley
- Transfer ownership to 6424 North Drake Avenue



Requested Vacation

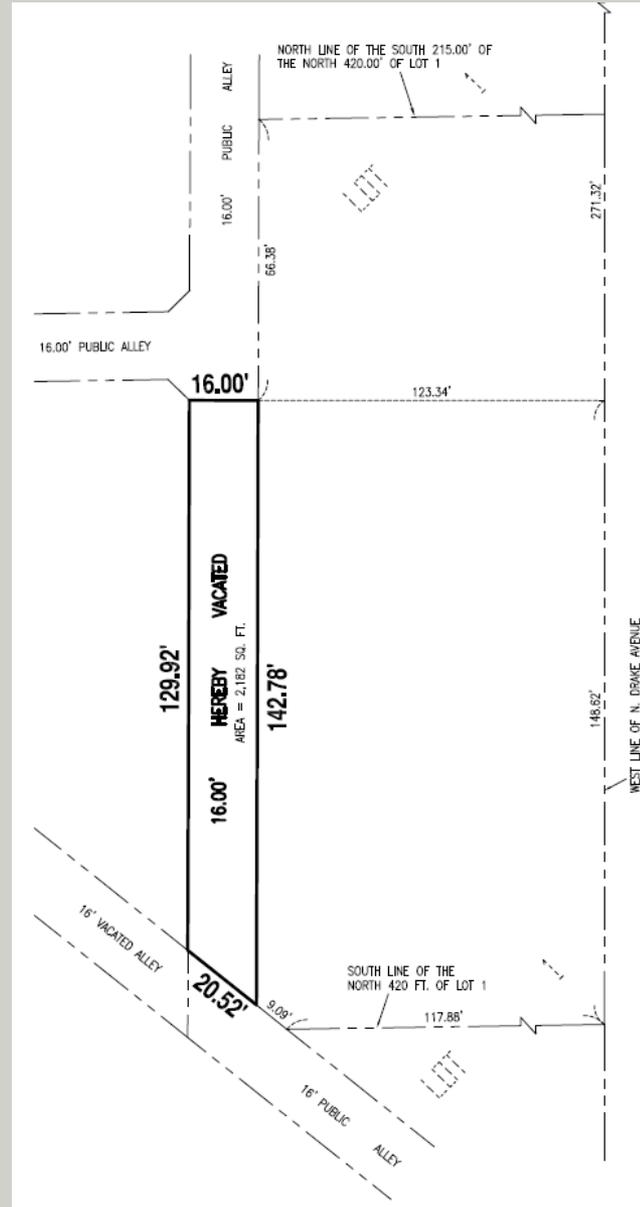
Current Request for Vacation

- Would preserve two means of alley egress from the block
- Would allow for the proposed development to meet all zoning requirements



Requested Vacation

Preliminary Plat of Vacation



Preliminary Site Plan

Alley
Access to
Site Not
Provided



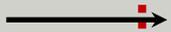
Current
Lot
Line



Building
Footprint

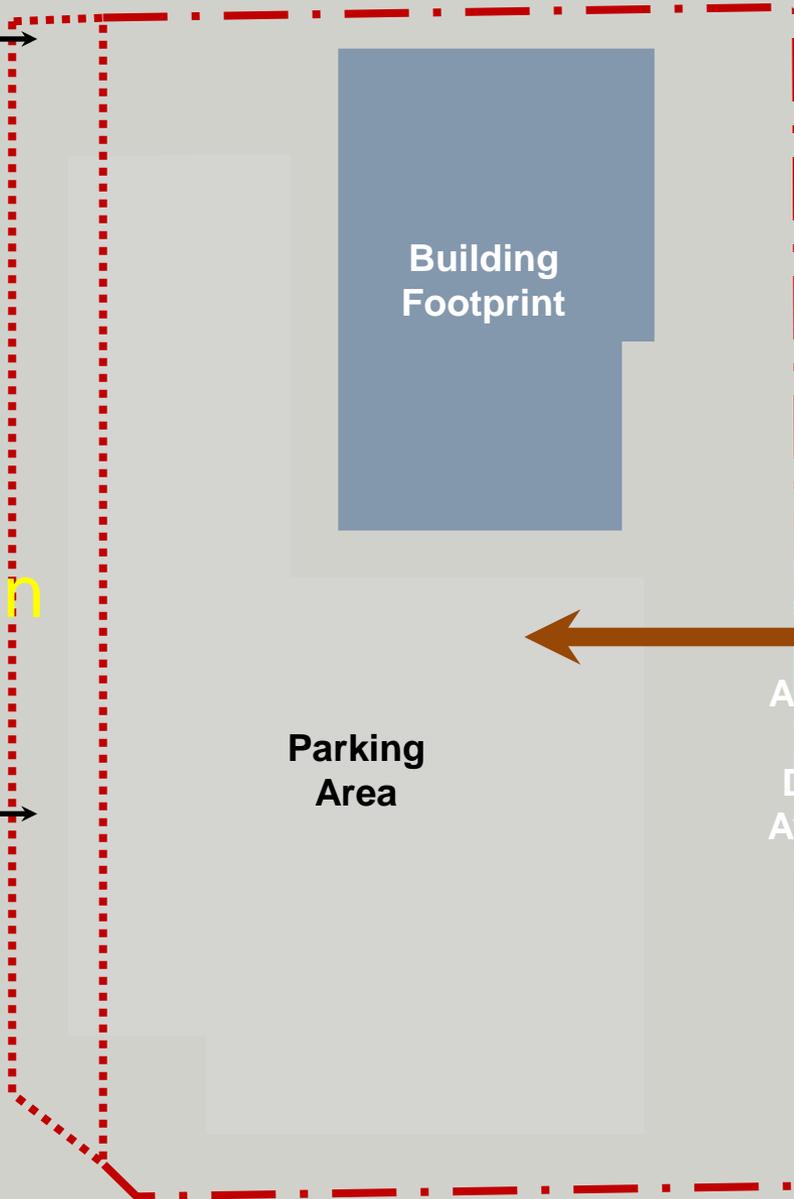
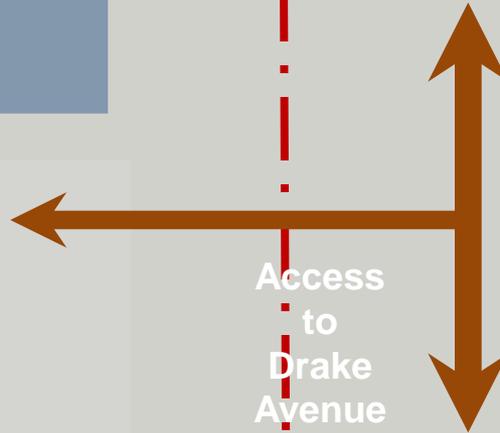
Image of
Concept Plan

Requested
16'-wide
Alley
Vacation



Parking
Area

Access
to
Drake
Avenue



Considerations

- Village preference related to alley access to parking for 6424 North Drake
- Fair market compensation
 - Appraisal Report indicates a unit land value of \$25 per square foot
 - Total vacated area = 2,182 square feet
 - Appraised total value of vacated area = \$54,550

Requested Action

- Appraisal states value of the land is \$25 per sq. ft.
- Area proposed to be vacated = 2,182 sq. ft.

Value = \$54,550

Recommended Action

***Adoption of an Ordinance
Vacating the Southern 143' of the
North-South Alley on the Block
bound by Lincoln Avenue, Drake
Avenue, Arthur Avenue and
Central Park Avenue***

Request For Board Action

REFERRED TO BOARD: January 2, 2018

AGENDA ITEM NO: 5

ORIGINATING DEPARTMENT: Community Development

SUBJECT: Consideration of a Recommendation by the Zoning Board of Appeals in Case #ZB-11-17 to Deny a Variation Request Regarding Existing Non-Conforming Fences in the Corner Side Yard and Interior Side Yard of 6454 North Kimball Avenue and in the Interior Side Yard of 6450 North Kimball Avenue

This request was continued at the October 17, 2017, November 7, 2017, and December 5, 2017 Village Board meetings at the request of the Petitioner. The Petitioner is requesting that this matter be continued to the February 6, 2018 Village Board meeting.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Aaron Kraft, property owner of 6454 North Kimball Avenue, on behalf of himself and David Goldberg, property owner of 6450 North Kimball Avenue, seeks a Variation to allow existing non-conforming fences on each property to remain in place. (Mr. Goldberg authorized Mr. Kraft to act as the Petitioner on his behalf since the non-compliant fences were installed as the result of an improvement to Mr. Kraft's property.)

In January 2015, Building Permit #150003 was issued for 6454 North Kimball Avenue for a second floor addition. During the course of construction, some existing fences were damaged on both 6454 North Kimball Avenue and 6450 North Kimball Avenue. A separate contractor was hired to replace the fences but did so without procuring a new fence permit or ensuring that the installed fences met the Village's zoning or building standards. The non-conforming fences include the following:

- A six-foot-tall solid fence along the corner side lot line of 6454 North Kimball Avenue which is non-compliant because it is taller than four feet and not at least 33% open;
- A six-foot-tall solid fence in the interior side yard of 6454 North Kimball Avenue which is non-compliant because it is taller than four feet and not at least 50% open; and



Non-compliant corner side yard fence at 6454 North Kimball Avenue



Non-compliant interior side yard fences at 6450 and 6454 North Kimball Avenues

- A six-foot-tall solid fence in the interior side yard of 6450 North Kimball Avenue which is non-compliant because it is taller than four feet and not at least 50% open.

In his application for a Variation, the Petitioner noted several characteristics that increase the amount of public vehicular and pedestrian traffic adjacent to his property. The characteristics include the alley along the west property line, a bus stop location for schools and camps that attracts children and parents to the intersection, and the traffic circle that results in areas where people frequently pull over to make phone calls or park while taking care of other tasks.

Requested Zoning Action

Allowing the existing non-conforming fences to remain in place would require relief from two regulations found in the Zoning Ordinance:

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 zoning ordinance defines an *“open fence”* as *“a fence including gates, which has, over its entirety, no less than 50% of the surface area in open space as viewed from an angle of 90°, from the fence line.”* The fences near the front facades of 6450 and 6454 North Kimball Avenues, indicated as #1 on the graphic to the right, are located in the side yard and are subject to this regulation. However, each existing fence is six-feet tall and is considered a *“solid”* fence.



- 1) Non-compliant side yard fences
- 2) Non-compliant corner side yard fences

Section 3.13(11)h states that *“on a corner lot open and semiprivate fences not more than four feet in height may be erected in a corner side yard but only to a line which is perpendicular to the rear face of the residence and shall align with the front facing facade.”* Based on this regulation, the fence must be at least 33% open. The fence to the west of the garage at 6454 North Kimball Avenue, indicated as #2 on the graphic above, is located along the corner side yard. However, the fence is six-feet tall and is considered a *“solid”* fence.

Public Hearing

Chairman O’Brien swore in the Petitioner, Mr. Aaron Kraft, of 6454 North Kimball Avenue.

Petitioner Aaron Kraft reiterated his family’s safety as the main reason for requesting relief from the Zoning Code. Mr. Kraft noted that there were other corner lots with non-compliant fences in the Village. However, Commissioner Hussain stated that the fences on other properties could have been installed before the current Zoning Codes were adopted.

Chairman O’Brien asked Mr. Kraft to define his specific hardship. Mr. Kraft stated his hardships include lack of privacy, safety for his children, and religious reasons as it requires his wife to be fully observant of religious customs since she is in view of the public.

Chairman O'Brien asked if anyone in the audience would like to address the Zoning Board of Appeals regarding this issue. Mr. Hatzopoulos, 6446 North Kimball Avenue, asked for clarification as to what fence was under consideration. Upon being satisfied with the clarification, he had no other comments.

Commissioner Keller questioned Mr. Kraft regarding the chronology of events leading up to the installation of the solid fence and stated that not knowing a permit is required is not a reason to ask for a Variation. Mr. Kraft replied that not knowing a permit was required was not part of his stated hardship. Chairman O'Brien agreed with Commissioner Keller that Mr. Kraft's stated hardships are typical of corner lots. Chairman O'Brien commented that landscaping could provide the screening he seeks. Mr. Kraft agreed that landscaping could provide privacy but cannot solve the safety issues.

Zoning Board of Appeals Recommendation

Generally, the Zoning Board of Appeals felt that a hardship had not been demonstrated and standards for a Variation had not been met. A motion recommending denial of the Variation request was unanimously passed by a vote of 6-0. (Commissioner Nickell recused himself from this case due to a third party relationship with the Petitioner.)

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

1. September 27, 2017 Zoning Board of Appeals Minutes Excerpt
2. September 27, 2017 Staff Report to Zoning Board of Appeals
3. Public Hearing Variation Application
4. Petitioner Photographs of 6450 and 6454 North Kimball Avenues
5. Plat of Survey for 6454 North Kimball Avenue
6. Relevant Code Standards
7. October 17, 2017 Village Board Meeting PowerPoint Presentation

RECOMMENDED MOTION:

Move to concur with a recommendation by the Zoning Board of Appeals to deny a Variation request that would allow existing non-conforming fences to remain in the corner side yard and interior side yard of 6454 North Kimball Avenue, and in the interior side yard of 6450 North Kimball Avenue, and to direct the Village Attorney to draft a Resolution supporting this motion.



DRAFT MEETING MINUTES
OF THE
ZONING BOARD OF APPEALS
SEPTEMBER 27, 2017 – 7:00 P.M.

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712

MEMBERS PRESENT:

Chairman Kathy O'Brien
Paul Grant
Paul Heller (Arrived after Call to Order)
Rizwan Hussain
Martina Keller
Chris Nickell
Kirill Vorobeychik (Arrived after Call to Order)

MEMBERS ABSENT:

STAFF PRESENT:

Doug Hammel, AICP, Community Development Manager

I. Call to Order

Chairman O'Brien noted a quorum of five members and called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

III. Approval of Minutes

Motion to approve the August 16, 2017 Zoning Board of Appeals Minutes was made by Commissioner Grant and seconded by Commissioner Keller.

Aye: Grant, Keller, Hussain, Nickell, and O'Brien

Nay: None

Motion Approved: 5-0

IV. Case #ZB-11-17: 6450 and 6454 North Kimball Avenue – Fence Variations

Chairman O'Brien announced Case #ZB-11-17 for consideration of a request by Aaron Kraft, property owner of 6454 North Kimball Avenue, and David Goldberg, property owner of 6450 North Kimball Avenue, to allow existing non-compliant fences to remain in place in the side

yard of each property and in the rear yard of 6454 North Kimball Avenue. The requested approval requires the following Variations: 1) to allow a six-foot-tall wooden fence in the side yard and rear yard at 6454 North Kimball Avenue; 2) to allow solid fences in a residential district at 6454 North Kimball Avenue; 3) to allow a six-foot-tall wooden fence in the side yard at 6450 North Kimball Avenue; and 4) to allow a solid fence in a residential district at 6450 North Kimball Avenue. Development Manager Hammel noted that Mr. Kraft would also be representing Mr. Goldberg in this case.

Commissioner Nickell recused himself from this case due to a business relationship with one of the Petitioners.

Development Manager Hammel stated the property at 6454 North Kimball Avenue received a building permit for an addition in 2015 which resulted in damage to fences on both properties which were subsequently replaced without a building permit. The definitions for open fences and semi-private fences were presented for review.

The corner side yard of 6454 North Kimball Avenue has a six-foot-tall solid fence where a four-foot-tall semi-private fence is permitted. The interior side yards of both 6450 and 6454 North Kimball Avenue have a six-foot-tall solid fence where a four-foot-tall semi-private fence is permitted. Considerations for relief expressed by the Petitioners include security, privacy, and protection from vehicular noise and traffic.

The Standards for Granting Variations and precedent cases were presented for review and discussion. No public comment was received regarding this request.

Petitioner Aaron Kraft reiterated his family's safety as the main reason for requesting relief from the Zoning Code. Mr. Kraft noted that there were other corner lots with non-compliant fences in the Village. Chairman O'Brien asked Mr. Kraft to define his specific hardship. Mr. Kraft stated his hardships include lack of privacy, safety for his children, and religious reasons as it requires his wife to be fully observant of religious customs since she is in view of the public.

Chairman O'Brien asked if anyone in the audience would like to address the Zoning Board of Appeals regarding this issue.

Mr. Hatzopoulos, 6446 North Kimball Avenue, asked for clarification as to what fence was under consideration.

Commissioner Keller questioned Mr. Kraft regarding the chronology of events leading up to the installation of the solid fence and stated that not knowing a permit is required is not a reason to ask for a Variation. Mr. Kraft replied that not knowing a permit was required was not part of his stated hardship. Chairman O'Brien agreed with Commissioner Keller that Mr. Kraft's stated hardships are typical of corner lots. Chairman O'Brien commented that landscaping could provide the screening he seeks. Mr. Kraft agreed that landscaping could provide privacy but cannot solve the safety issues.

Commissioner Hussain asked Mr. Kraft if he was compensated by the contractors for the fence damage. Mr. Kraft replied he was not compensated. Commissioner Hussain spoke to Mr.

Kraft's testimony about other properties with solid fences in that these fences may have been installed before the current Zoning Codes were adopted. Commissioner Hussain also mentioned there are child safety latches which Mr. Kraft can install on his gate to address the safety issue.

Commissioner Heller asked Mr. Kraft if he has tried to contact the contractor who installed the fence. Mr. Kraft replied that he has tried multiple times to contact them without success.

Motion to recommend denial of the proposed fence Variation in Case #ZB-11-17 was made by Commissioner Keller and seconded by Commissioner Grant. This motion will be heard at the October 17, 2017 Village Board meeting.

Aye: Keller, Grant, Heller, Hussain, Vorobeychik, and O'Brien

Nay: None

Abstained: Nickell

Motion Approved: 6-0

V. Case #ZB-12-17: 3620 West North Shore Avenue – Building Coverage Variation

Chairman O'Brien announced Case #ZB-12-17 for consideration of a request by Andrew Venamore, Petitioner, on behalf of Van Huynh, property owner, to allow the construction of a garage that would exceed the overall permitted building coverage to 36.6% rather than the 35% permitted by the Zoning Code.

Development Manager Hammel stated the proposed two-car garage requires a Variation to allow for total building coverage greater than 35 percent. The existing total building coverage is 1,694-square feet or 34.2 percent, and the Petitioner is proposing a two-car garage which would increase the total building coverage to 1,813-square feet or 36.6 percent. This proposed increase would have minimal impact on neighboring properties, is compliant with all other Code requirements, and would enhance the aesthetics along North Shore Avenue.

The Standards for Granting Variations and precedent cases were presented for review and discussion. No public comment was received regarding this request.

Mr. Venamore stated the owner's request is to replace the existing one-car garage with a standard two-car garage. The current garage is in disrepair and cannot be used for vehicular storage. The homeowner is asking for a Variation as a basic two-car garage could not be built without the 1.6% increase in lot coverage.

Chairman O'Brien asked if anyone in the audience would like to address the Zoning Board of Appeals regarding this issue. Let the record state that no one came forward.

Chairman O'Brien stated that, in the past, the Zoning Board of Appeals has deemed that a two-car garage is the minimum standard.



Zoning Board of Appeals Staff Report

Case #ZB-11-17

September 27, 2017

Subject Property:
6450 and 6454 North Kimball Avenue

Zoning District: R-3, Residential

Petitioner: Aaron Kraft, property owner of 6454 North Kimball, on behalf of his property and David Goldberg, property owner of 6450 North Kimball Avenue

Requested Action: Variations to allow existing non-conforming fences to remain in the side yards of each property and in the rear yard of 6454 North Kimball Avenue



Nature of Request: The Petitioner seeks a Variation to allow existing non-conforming fences on each property to remain in place. The fences require the following Variations: 1) to allow a six-foot-tall wooden fence in the side yard and rear yard at 6454 North Kimball Avenue; 2) to allow solid fences in a residential district at 6454 North Kimball Avenue; 3) to allow a six-foot-tall wooden fence in the side yard at 6450 North Kimball Avenue; and 4) to allow a solid fence in a residential district at 6450 North Kimball Avenue.

Notification: Notice was published in the Lincolnwood Review on September 7, 2017, a Public Hearing Sign installed at 6450 and 6454 North Kimball Avenues, and Legal Notices were mailed on September 6, 2017 to properties within 250 feet.

Relevant History

In January 2015, a building permit (permit #150003) was issued for 6454 North Kimball Avenue for a second floor addition. During the course of construction, some existing fences were damaged on both 6454 North Kimball Avenue and 6450 North Kimball Avenue. The contractor suggested replacing the fences, but did so without procuring a new fence permit or ensuring that the installed fence met the Village’s zoning or building standards.



Non-compliant corner side yard fence at 6454 North Kimball Avenue

The installed fences include the following:

- A six-foot-tall solid wood fence along the rear property line of 6454 North Kimball Avenue, which is permitted due to its location along an alley;
- A six-foot-tall solid fence along the corner side lot line of 6454 North Kimball Avenue, which is non-compliant because it is taller than four feet and less than 33% open;
- A six-foot-tall solid fence in the interior side yard of 6454 North Kimball Avenue, which is non-compliant because it is taller than four feet and less than 50% open; and
- A six-foot-tall solid fence in the interior side yard of 6450 North Kimball Avenue, which is non-compliant because it is taller than four feet and less than 50% open.



Non-compliant interior side yard fences at 6450 and 6454 North Kimball Avenues

In November 2016, the Petitioner submitted a fence permit application in order to be compliant with Village procedures. However, the application was denied because the design characteristics of the installed fence, which were the basis for the fence characteristics described in the fence permit application, are not compliant with the Village Zoning Ordinance.

Requested Relief:

The Petitioner is seeking relief from two regulations contained within the Village’s zoning ordinance.

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 zoning ordinance defines an “open fence” as “a fence including gates, which has, over its entirety, no less than 50% of the surface area in open space as viewed from an angle of 90°, from the fence line.” The fences near the front facades of 6450 and 6454 North Kimball Avenues, indicated as #1 on the graphic to the right, are located in the side yard and are subject to this regulation. However, each fence is six-feet tall and is considered a “solid” fence.



- 1) Non-compliant side yard fences
- 2) Non-compliant corner side yard fences

Section 3.13(11)h states that “on a corner lot open and semiprivate fences not more than four feet in height may be erected in a corner side yard but only to a line which is perpendicular to the rear face of the residence and shall align with the front facing facade.” Based on this regulation, the fence must be at least 33% open. The fence to the west of the garage at 6454 North Kimball Avenue, indicated as #2 on the graphic above, is located along the corner side yard. However, the fence is six-feet tall and is considered a “solid” fence.

Petitioner Considerations:

In his application for the requested Variation, the Petitioner cited the need for safety and privacy as the primary impetus for the request. In addition to the desire for a general sense of privacy, the Petitioner noted several characteristics that increase the amount of public vehicular and pedestrian traffic adjacent to his property. The characteristics include the alley along the west property line, a bus stop location for schools and camps that attracts children and parents to the intersection, and the traffic circle that results in areas where people frequently pull over to make phone calls or park while taking care of other tasks.

Variation Standards

Section 5.15(7) Major Variations of the Village Zoning Ordinance identifies eight standards related to this case to be used in determining “whether in a specific case there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Zoning Ordinance.” These Standards are provided as an attachment to this report.

Public Comment

The Village has received no public comment regarding this case.

Conclusion

The Petitioner is seeking zoning relief to allow an existing non-conforming fence to remain in the north and south side yards. This request is based on several factors including the location of external utilities, accessibility to and the ability to screen trash bins, and the aesthetic character of neighboring fences.

Related Variation Requests Considered Since 2011

Cases with some relevance to this request are summarized below. These cases relate to requests for existing non-compliant fences to remain, or fences in corner side yards of a more “solid” nature or taller height than what is allowed. These have been included because they are cases that pertain to fences visible from the public street.

6850 North Lowell Avenue (2017)

The property owner sought approval to maintain an existing fence that was installed in a non-compliant manner at the property commonly known as 6850 North Lowell Avenue. The fence was installed as part of a larger improvement, but did not meet standards for openness or setback from the front façade. Through the course of ZBA deliberations, the request was modified to include a Variation from the openness requirements for fences along the side lot line, but not for the fences parallel to the front façade of the home. The request maintained the Variation regarding setback from the front façade of the home. The ZBA found that relocating the fence to meet the required setback would expose utilities and trash totes. Ultimately, the fences along the side lot lines were permitted to remain as installed, while the fences parallel to the front façade of the home were required to be replaced with a 50% open design.

ZBA Recommendation: Approval of the modified Variation request by a 3-1 vote

6546 North Sauganash Avenue (2013)

The property owner sought approval of a new fence at the property commonly known as 6546 North Sauganash Avenue. The property owner installed the fence without a permit and received a citation for the illegal fence. In response, the property owner sought Village approval for the desired fence. The fence was a six-foot-tall board-on-board design located in the corner side yard.

ZBA Recommendation: Denial of the Variation request by a 6-0 vote

6402 North Kolmar Avenue (2012)

The property owner sought approval to replace an existing fence at 6402 North Kolmar Avenue. The existing fence had fallen into disrepair and the property owner wished to install a five-foot-high board-on-board fence in the same location as the existing fence. During deliberation, the ZBA asked that the Petitioner provide additional natural screening along the fence and additional foundation to ensure its integrity in the wind. Despite these conditions being agreed to by the property owner, the request was not approved.

ZBA Recommendation: Denial of the Variation request by a 3-2 vote

Documents Attached

1. Zoning Variation Application
2. Petitioner Photographs of 6450 and 6454 North Kimball Avenue
3. Plat of Survey for 6454 North Kimball Avenue
4. Relevant Code Standards



SUBJECT PROPERTY

Property Address: 6454 N Kimball Ave

Permanent Real Estate Index Number(s): 10-35-421-014-0000

Zoning District: R4 Lot Area: 8558

List all existing structures on the property. Include fencing, sheds, garages, pools, etc.

Area, attached garage

Are there existing development restrictions affecting the property? ___ Yes No

(Examples: previous Variations, conditions, easements, covenants) If yes, describe: _____

REQUESTED ACTION

- | | |
|---|--|
| <input checked="" type="checkbox"/> Variation - Residential | <input type="checkbox"/> Variation - Signs/Special Signs |
| <input type="checkbox"/> Variation - Non-Residential | <input type="checkbox"/> Minor Variation |
| <input type="checkbox"/> Variation - Off-Street Parking | <input type="checkbox"/> Other |
| <input type="checkbox"/> Variation - Design Standards | |

PROJECT DESCRIPTION

Describe the Request and Project: 6 ft. privacy fence

PROPERTY OWNER/PETITIONER INFORMATION

Property Owner(s): (List all Beneficiaries if Trust)

Name: Aaron Kraft

Address: 6454 N Kimball Ave

Telephone: (201) 937-2180 Fax: (n/c) E-mail: aaron.kraft@gmail.com

Petitioner: (if Different from Owner)

Name: _____ Relationship to Property: _____

Address: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

NOTICE OF REASONABLE ACCOMMODATION PROCESS

An alternate process is provided by the Village for persons with disabilities or handicaps who seek a Reasonable Accommodation from the Zoning Code regulations in order to gain equal access to housing. If you seek a Reasonable Accommodation from the Zoning Code based on disability or handicap, do not complete this application form, but rather a separate application for Reasonable Accommodation. For more information on this process, consult Section 4.06(3) of the Zoning Code, or contact the Community Development Department at 847.673.7402.

VARIATION STANDARDS

To be approved, each Variation request must meet certain specific standards. These standards are listed below. After each listed standard, explain how your Variation request satisfies the listed standard. Use additional paper if necessary.

1. The requested Variation is consistent with the stated intent and purposes of the Zoning Ordinance and the Comprehensive Plan.

see attached answers to all questions

2. The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced.

3. The conditions upon which the petition for the Variation is based would not be applicable generally to other property within the same Zoning District.

4. The Variation is not solely and exclusively for the purpose of enhancing the value of or increasing the revenue from the property.

VARIATION STANDARDS (Continued)

5. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

6. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

7. The Variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property.

8. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

1. The stated purpose of the Zoning Ordinance acknowledges that fences are a means to achieve safety, privacy and should be aesthetically pleasing. My variation request is being made in order to provide adequate safety and privacy for my property and the residents thereof by means of a fence that is also aesthetically pleasing. Furthermore, there are numerous properties (addresses and pictures can be provided upon request) in the Zoning District that have similar fences to the one being requested in this variation application, which indicates that the request is certainly in harmony with the norms in this Zoning District.
2. Following the strict letter of the Zoning Ordinance would result in particular hardship for a number of reasons generally related to the rights of privacy and safety. The strict application of the ordinance (as it was explained to me by the development office staff) would require that the majority of the back yard be exposed to the street (both car and pedestrian traffic). This denies the residents of this property privacy and creates a potential safety hazard in that young children playing in the yard would be visible to passersby as well as more easily distracted by happenings in the street. This is of particular hardship in that the proximity of the alley (abutting the property and across the street from the property) has proven to bring more people to the vicinity of the yard as neighbors and/or others congregate in the alley to access and or work in garages etc. The more regular presence of people in the alleys results in less privacy and greater need for a variance to allow for a private fence on all open sides of the yard.

Moreover, the corner where this property is located is used as a bus pick-up and drop-off location for schools and camps. This results in children, young adults as well as parents and guardians congregating (to be picked up or waiting for those being dropped off) around this property. It is burdensome for a resident in his or her yard to be subject to the invasion of privacy by those waiting for the bus at different points in the day.

Lastly, there is a traffic circle at this corner with a small alcove in which it is convenient for vehicles to pull over to make phone calls etc. This results in higher likelihood that strangers will be right outside of the property and therefore able to see into the yard without adequate privacy being provided by a fence.

3. These hardships are not necessarily applicable to other similar properties in the Zoning District. Many corner properties do not actually have back yards that are large enough for use by the property's residents. This makes the need for privacy in such lots moot. Some lots that have similar sized yards and similar concerns for privacy actually do have fences similar to the one being requested, evidencing that this variation request is justified and necessary. And it is worth noting that even these properties with more private fences do not share all of the above listed considerations (and still have more private fencing).

4. The variation is not for the purpose of enhancing the value of or increasing the revenue from the property.
5. The difficulty or hardship has not been created by any person presently having an interest in the property. In fact, the hardships described above are not created by any one particular individual, but rather a result of the conditions on the ground.
6. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements to the neighborhood.
7. The variation is the minimum change to the Zoning Ordinance necessary to alleviate the hardships. There is a need for privacy and safety. The only way to achieve that safely is with a privacy fence six feet in height as is being requested. Any alternative option would not sufficiently provide the privacy or safety that Lincolnwood residents are fortunate enough to enjoy. Shorter fences do not provide adequate privacy. Even if hedges would also be utilized, they do not provide full privacy and having a short fence is not safe as young children can easily reach the latch and open the fence (from either the inside or the outside, which means that even if residing children do not open latch neighboring children who are outside might).
8. The proposed variation will not impair supply of light or air to adjacent property or increase the danger of fire or endanger public safety or diminish property values. It is a fence that impacts the property requesting the variation only and does nothing more than provide adequate privacy and safety to the residents of this property allowing them to utilize their backyard like any other resident of Lincolnwood.



Attachment #3: Relevant Code Sections

Section 2.02. Definitions

FENCE, OPEN or OPEN FENCE: A fence including gates, which has, over its entirety, no less than 50 percent of the surface area in open space as viewed from an angle of 90 degrees, from the fence line. Examples include, but are not limited to: chain link; wrought iron; picket; Kentucky rail; or split rail.

FENCE, SEMIPRIVATE or SEMIPRIVATE FENCE: A fence which is not a solid fence nor an open fence, and including, without limitation, shadow box and louvered fences; provided, however, that "semi-private fence" does not include any louvered fence for which (i) the gaps between the fence boards are less than 50 percent of the board width; (ii) the angle of the boards exceeds a fifty-degree angle, from horizontal or vertical; or (3) it is possible to see from one side of the fence through to the other side.

Section 3.13(11) Fence types and height in residential districts.

- c. Open fences of all types allowed by this regulation not more than four feet in height are allowed in side yards.
- h. On a corner lot open and semi-private fences not more than four feet in height may be erected in a corner side yard but only to a line which is perpendicular to the rear face of the residence and shall align with the front facing facade.

Section 5.15 Major Variations

(7) Standards. In determining whether in a specific case there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Zoning Ordinance, there shall be taken into consideration the extent to which the following facts are established:

- a. The requested Major Variation is consistent with the stated intent and purposes of this Zoning Ordinance and the Comprehensive Plan;
- b. The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced;
- c. The conditions upon which the petition for the Variation is based would not be applicable generally to other property within the same zoning district;
- d. The Variation is not solely and exclusively for the purpose of enhancing the value of or increasing the revenue from the property;
- e. The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- f. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
- g. The Variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property; and
- h. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Case #ZB-11-17

Fence Variations

Fence Heights and Solid Fences

6450 and 6454

North Kimball Avenue

Regulatory Context

- R3 Residential
- 2015 Building Permit for 6454 N Kimball resulted in damaged fences
- Fences on both properties were replaced without a permit



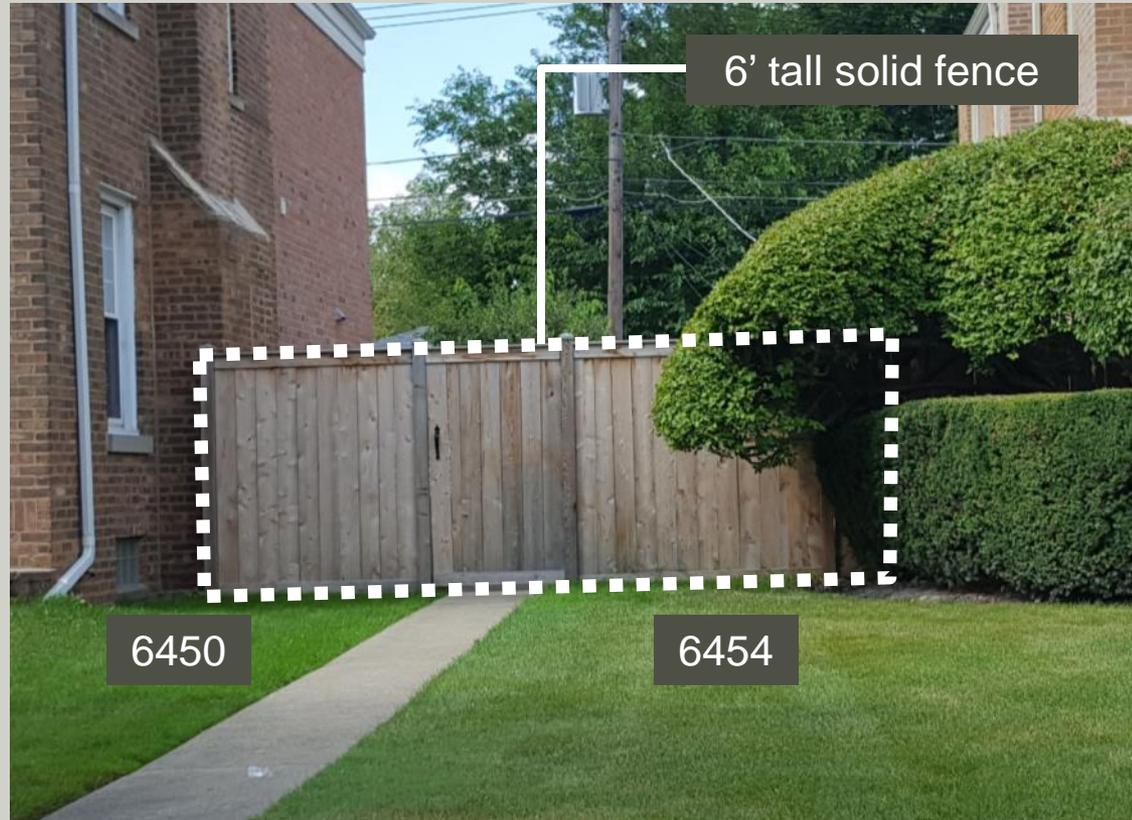
Existing Fences

- Corner side yard of 6454 N Kimball
- 6'-tall solid fence
 - 4'-tall “semi-private” permitted



Existing Fences

- Interior side yards of 6450 and 6454 N Kimball
- 6'-tall solid fence
 - 4'-tall “open” permitted

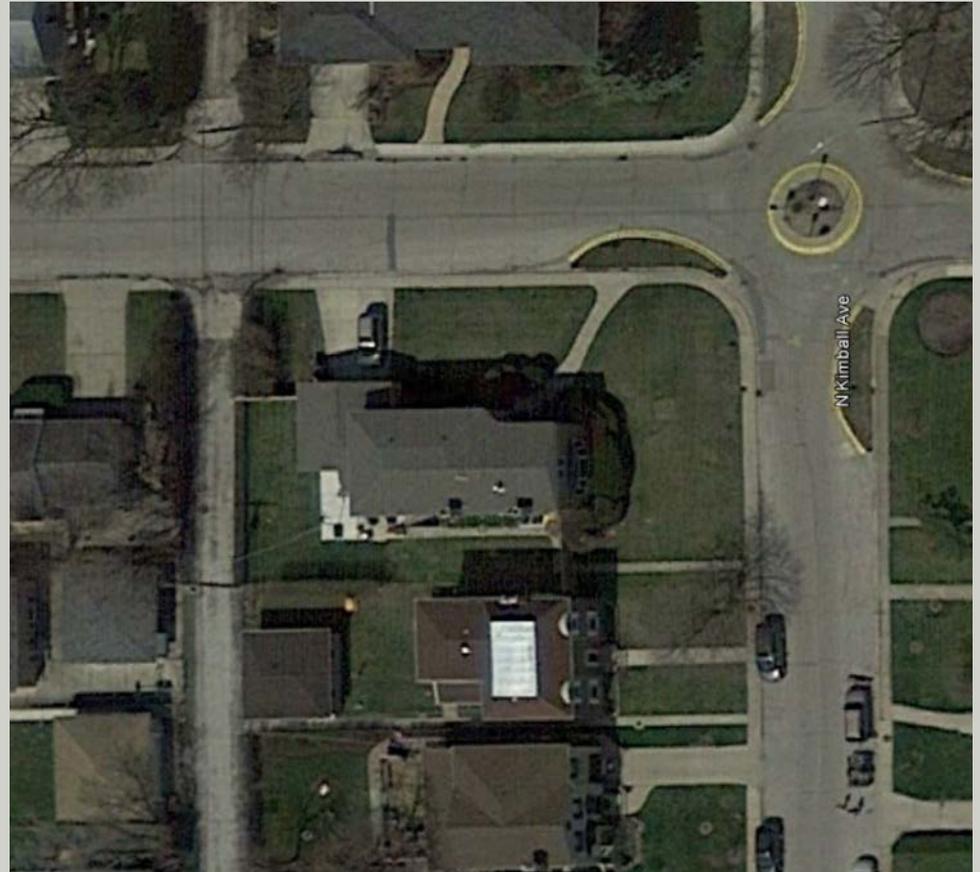


Required Variations

- Section 3.13(11)c
 - “**Open fences** of all types allowed by this regulation **not more than four feet in height** are allowed in side yards.”
 - 6'-tall solid fences are *not* permitted in interior side yards
- Section 3.13(11)h
 - “On a corner lot **open and semiprivate fences not more than four feet in height** may be erected in a corner side yard...”
 - 6'- tall solid fences are *not* permitted in corner side yards

Petitioner Considerations

- General sense of safety and privacy
- Alley along the west property line generates additional traffic
- Local bus stops
- Traffic circle and curbside vehicular standing areas



Precedent Cases

6850 North Lowell (2017)

- 4'-tall semi-private fences along side yards and near front façade of the home
- Request modified through ZBA deliberations
 - Fences along front façade required to come into compliance as an “open” fence, but location could remain
- ZBA ***recommended approval*** of the modified variation request (3-1)
- Village Board concurred (6-0)

Precedent Cases

6402 North Kolmar (2012)

- Replacement of a 5'-tall solid fence in the corner side yard
- ZBA imposed a condition for additional landscape screening, but then ***recommended denial*** of the variation (3-2)
- Village Board approved the request (6-0) with the condition that it be screened by arborvitae

6546 North Sauganash (2013)

- 6'-tall solid fence in the corner side yard
- ZBA ***unanimously recommended denial*** of the variation (6-0)
- No record of Village Board action (request may have been withdrawn)

ZBA Discussion

- Public Hearing held on September 27
 - ZBA failed to find a hardship based on the considerations presented by the Petitioner
 - ZBA stated that landscaping could be used to provide privacy
 - Petitioner stated that landscaping would not provide desired level of security
 - ZBA found that the standards for a Variation had not been met

ZBA unanimously recommended denial (6-0 vote) of the requested Variations

Requested Action

- *Move to concur*

with the recommendation of the Zoning Board of Appeals to deny the requested Variations for fence height and openness

- Direct Village Attorney to draft a Resolution supporting this motion