

**VILLAGE OF LINCOLNWOOD
BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
FEBRUARY 5, 2013**

Call to Order

Village President Pro-Tem Elster called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:37 P.M., Tuesday, February 5, 2013 in the Council Chambers of the Municipal Complex, 6900 North 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 to the flag of our country.

Roll Call

On roll call by Deputy Village Clerk Douglas Petroshius the following were:

PRESENT: President Turry (by videoconference), President Pro-Tem Elster, Trustees Patel, Heidtke, Leftakes, Swanson

ABSENT: Trustee Sprogis-Marohn

A quorum was present. Mr. Elrod asked for the Village Board's concurrence that the person attending by videoconference was indeed President Turry. The Village Board concurred that President Turry was the person attending by videoconference.

Also present: Timothy Wiberg, Village Manager; Douglas Petroshius, Assistant Village Manager; Chuck Meyer, Assistant to the Village Manager; Steven Elrod, Village Attorney; Aaron Cook, Community Development Manager; Robert Merkel, Finance Director; Timothy Clarke, Director of Community Development; Manuel Castaneda, Public Works Director; Janice Hincapie, Director of Parks and Recreation; Andrew Thurman, Superintendent of Parks and Facilities; Katie Smith, Community Center Program Supervisor.

Approval of Minutes

The minutes of the January 15, 2013 regular Village Board meeting had been distributed in advance and were examined. Trustee Swanson made a motion to approve the minutes as presented. Trustee Patel seconded the motion. The motion passed by voice vote, 5-0.

Warrant Approval

Trustee Heidtke moved to approve Warrants in the amount of \$1,109,953.21. Trustee Leftakes seconded the motion.

Upon Roll Call by Deputy Village Clerk Douglas Petroshius the results were:

AYES: President Pro-Tem Elster, Trustees Patel, Heidtke, Leftakes, Swanson

NAYS: None

The motion passed.

The Warrants were approved.

Village President's Report

1. Commemoration of the Life of Millie Starkman

Trustee Elster read aloud comments about Ms. Starkman who died on January 26, 2013 and lead the audience in a moment of silence.

2. Summary of Devon-Lincoln Tax Increment Financing District Discussion

Trustee Elster requested Mr. Wiberg provide a summary of the discussion regarding the proposed Devon-Lincoln Tax Increment Financing (TIF) District which was held at the

Committee of the Whole meeting that immediately proceeded the current Regular Meeting. Mr. Wiberg provided this summary and provided upcoming meeting dates for the proposed TIF District.

Consent Agenda

Trustee Elster presented the Consent Agenda items by PowerPoint.

1. Approval of an Ordinance Authorizing the Sale and Disposal of Personal Property Owned by the Village
2. Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Amending Section 11.04 of the Zoning Ordinance Regarding Maximum Number of Wall Signs
3. Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Amending Section 4.12 of the Zoning Ordinance Regarding Corner Side Yard Setback in the R4 General Residence District
4. Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Amending Section 4.07(13) of the Zoning Ordinance Regarding Additional Standards for the Lincoln Avenue Corridor
5. Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Amending Table 4.01.1 of the Zoning Ordinance Regarding Additional Standards for Townhouse, Multi-Family Dwelling, and Residential Units Above First Floor Commercial
6. Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Amending Various Sections of the Zoning Ordinance Regarding Average Front Yard Setbacks in All Zoning Districts
7. Approval of a Recommendation by the Plan Commission Regarding Front Yard Parking
8. Approval of a Resolution Awarding a Bid for the Construction of Sewer Improvements within the Village in the Amount of \$179,451.25 to Visu-Sewer LLC of Bridgeview, IL
9. Approval of a Resolution to Extend the Professional Janitorial Services Contract with Best Quality Cleaning, Inc. for \$38,760 for One Year
10. Approval of a Resolution authorizing the Village Manager to Execute a Contract with New World Systems for 11 Mobile Software Seat Licenses and Third Party Motor Vehicle Traffic Crash Diagraming Software for \$37,819
11. Approval of a Resolution Authorizing the Village Manager to Execute a Memorandum of Understanding with the Village of Glenview for the Provision of Code Enforcement Services

Trustee Leftakes made a motion to approve the Consent Agenda as presented. Trustee Patel seconded the motion.

Upon Roll Call the results were:

AYES: President Pro-Tem Elster, Trustees Patel, Heidtke, Leftakes, Swanson

NAYS: None

The motion passed.

The Consent Agenda was approved.

Regular Business

12. Consideration of a Resolution to Execute an Agreement with E Town Tennis for Group and Private Tennis Lesson Services Commencing with the 2013 Summer Season

This item was presented by Ms. Hincapie with use of a PowerPoint presentation. The Parks and Recreation Department critically reviewed the Village's tennis program and sought proposals to determine if improved service levels could be secured. Staff consulted with School District 219 administration and athletic staff as well as other parks and recreation agencies, and the Village Attorney, when developing the request for proposals document which was released on November 26, 2012. Three proposals were received and all were interviewed and rated. The recommended firm is E Town Tennis to become the Village's Private Tennis Lesson Services provider. The proposed contract is for one year with an option to extend for three years. The budget for this contract is \$16,240. This matter is being recommended by the Park and Recreation Board and was considered by the Village Board at the January 15, 2013 Committee of the Whole.

Trustee Elster indicated that the Village Board had received emails support the current vendor, Frank Sachs Tennis and asked for Ms. Hincapie to elaborate as to why the current vendor was not selected. Ms. Hincapie indicated that while Mr. Sachs provides good instructors, there is some disorganization on the business side and staff felt it was necessary to seek other firms.

Trustee Elster indicated that he received a Speaker Request Form from Mr. Frank Sachs of 6555 North Drake Avenue, Lincolnwood and offered him time to speak. Mr. Sachs identified himself for the record as a resident and proprietor of Frank Sachs Tennis. He asked that the Village Board consider the success of Frank Sachs Tennis in comparison to E Town and said that the information from the Village Manager is false. He asked that the Village Board consider what is best for staff versus what is best for the residents. He said that E Town has less experience than his firm and that E Town takes more time. Trustee Elster thanked Mr. Sachs for his comments.

Trustee Elster recognized Nick Rizzo, a resident of 6450 North Cicero Avenue, Lincolnwood. Mr. Rizzo recognized himself as a resident and indicated that he was in favor of keeping Frank Sachs Tennis. Mr. Elster thanked him for the comments.

Trustee Heidtke made a motion to approve the Resolution. Trustee Swanson seconded the motion.

Upon Roll Call the Results were:

AYES: President Pro-Tem Elster, Trustees Patel, Heidtke, Leftakes, Swanson

NAYS: None

The motion passed.

The Resolution was approved.

13. Consideration of a Recommendation by the Zoning Board of Appeals to Deny a Height Variation for a Proposed Fence Located at 6546 North Sauganash Avenue

This item was presented by Mr. Cook who provided a history of this request by way of PowerPoint presentation. Zubeda Moten, property owner of 6546 North Sauganash Avenue, requests a variation to permit a fence to exceed the maximum fence height in a corner side yard. Mr. Moten seeks approval to install a six foot board-on-board fence to the side of the home on the corner lot. The Zoning Code restricts fences in corner lots to a maximum of four feet in height. The subject property is located at the southwest intersection of Sauganash and LeMai Avenues. The property owner had installed the fence without the required building permits. The Village issued a citation for work without a permit and as part of that process it was determined that the subject fence exceeded the maximum allowable fence height. As a result of this

determination, the property owner filed for a variation to seek approval of a fence height variation.

A public hearing was held by the Zoning Board of Appeals (ZBA) on January 16, 2013. Mr. Moten testified at the hearing. Mr. Ivo Cozini of 6566 Sauganash Avenue testified at the hearing in opposition to the fence. In addition a petition was submitted to the ZBA with signatures from five nearby residents objecting to the fence. The ZBA voted to recommend a denial of the requested fence height variation. It was concluded that the variation request was not consistent with the stated intent and purpose of the Zoning Ordinance.

Trustee Elster noted for the record that the petitioner was not present at the Village Board meeting. Trustee Leftakes expressed concerns about suspected vehicles being parked in the petitioner's backyard and surmised that hiding the vehicles from public view was the purpose of the request. Mr. Cook indicated that citations have been issued and are under consideration for both the fence and the parking of vehicles on that property. The Village's Administrative Hearing Officer is adjudicating these citations.

Trustee Elster announced that a request was received from Richard Gershon of 6545 N. Lemai Avenue, Lincolnwood, to speak out against approval of the fence variation. Mr. Gershon was present but declined comment.

Trustee Leftakes made a motion to approve the recommendation by the ZBA denying a height variation for a proposed fence located at 6546 North Sauganash Avenue. Trustee Swanson seconded the motion.

Upon Roll Call the results were:

AYES: President Pro-Tem Elster, Trustees Patel, Heidtke, Leftakes, Swanson

NAYS: None

The motion passed.

The recommendation was approved.

14. Consideration of a Recommendation by the Economic Development Commission to Refer to the Plan Commission for Public Hearing, a Proposed Zoning Code Text and Map Amendment, Which Would Establish a Retail Overlay Zone in a Portion of the MB Zoning District Adjacent to Touhy Avenue

This item was presented by Mr. Clarke with use of a PowerPoint presentation. Mr. Clarke indicated that this matter would enact a referral to the Plan Commission to commence with a Public Hearing process to create an overlay zoning district for retail uses for properties south of Touhy Avenue between Ridgeway Avenue and Lawndale Avenue and along Capitol Drive. This matter is a recommendation by the Economic Development Commission who created the idea to provide this rezoning district. A map of the proposed area was displayed. The zoning overlay would place the properties in a good position in anticipation of the Walmart being developed just north of the proposed overlay in the Village of Skokie and further the Village's efforts to create retail in the Northeast Industrial Business Park. Property owners affected by the proposed zoning overlay were invited to a special meeting on the matter on December 19, 2012. Trustee Elster, who was present at the meeting, indicated that there was a positive response from those in attendance.

Trustee Heidtke made a motion to approve the recommendation refer to the Plan Commission for Public Hearing, a proposed Zoning Code text and map amendment, which would establish a retail overlay zone in a portion of the MB Zoning District adjacent to Touhy Avenue. The motion was seconded by Trustee Leftakes.

Upon Roll Call the Results were:

AYES: President Pro-Tem Elster, Trustees Patel, Heidtke, Leftakes, Swanson
NAYS: None
The referral to the Plan Commission was approved. The motion passed.

Manager's Report

1. Mr. Wiberg announced that Cook County has adopted a new measure highlighting the pension funding ratio of all taxing bodies on a property owner's tax bill. Due to a clerical error on the Village's part, 17% was shown as the Village's funding ratio while it should have been 56%. The Village apologizes for the error. The bottom line of the tax bill is not affected as this aspect of the bill is for information purposes only. A press release was distributed to the press.
2. Mr. Wiberg announced that a Water and Sewer Fund Workshop will be held on March 13 at 7 P.M.

Board and Commissions Report

Trustee Patel reported that he attended the annual Northwest Municipal Conference legislative brunch and was encouraged that he heard the most comments in six years about pension reform. He encouraged everyone to contact their representatives and senators about pension reform.

Village Clerk's Report

1. Mr. Petroschius made an announcement that Absentee Ballots are available.
2. Mr. Petroschius made an announcement that registration for the April 9, 2013 election can be done at Village Hall during normal working hours.

Trustee Reports

None

Public Forum

None

Adjournment to Executive Session

Trustee Leftakes moved to adjourn to Executive Session of the Regular Meeting at 8:23 P.M. for the purpose of discussion of personnel and potential litigation. Trustee Heidtke seconded the motion.

Upon Roll Call the results were:

AYES: President Pro-Tem Elster, Trustees Patel, Heidtke, Leftakes, Swanson
NAYS: None
The meeting was adjourned to Executive Session of the Regular Meeting. The motion passed

Reconvention

President Pro-Tem Elster reconvened the Regular Meeting at 9:05 P.M.

Adjournment

Trustee Leftakes moved to adjourn the Regular Meeting of the Village Board meeting at 9:05 P.M. Trustee Heidtke seconded the motion. The motion passed by voice vote, 5-0.
The Regular Meeting was adjourned.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Douglas Petroski", with a long horizontal flourish extending to the right.

Douglas Petroski
Deputy Village Clerk