

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
AUGUST 20, 2013**

Call to Order

Village President Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:47 P.M., Tuesday, August 20, 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 Village Clerk Beryl Herman the following were:

PRESENT: President Turry, Trustees Patel, Cope, Elster, Klatzco, Leftakes

ABSENT: Trustee Sprogis-Marohn

A quorum was present.

Also present: Timothy Wiberg, Village Manager; Douglas Petrosenius, Assistant Village Manager; Chuck Meyer, Assistant to the Village Manager; Steven Elrod, Village Attorney; Timothy Clarke, Community Service Director; Aaron Cook, Development Manager; Robert Merkel, Finance Director; Melissa Steirer, Management Analyst; Janice Hincapie, Parks and Recreation Director; Manuel Castaneda, Public Works Director; Ashley Engelmann, Assistant Public Works Director; Fire Chief Michael Hansen; Police Chief Robert LaMantia; Geri Silic, Village Social Worker; Paul Eisterhold, Chair, Plan Commission

Approval of Minutes

The minutes of the July 16, 2013 regular Village Board meeting had been distributed in advance and were examined. Trustee Patel moved to approve the minutes as presented. Trustee Cope seconded the motion. Trustee Leftakes abstained. The motion passed by voice vote.

Warrant Approval

Trustee Klatzco moved to approve Warrants in the amount of \$1,367,010.20, Trustee Elster seconded the motion.

Upon Roll Call by Village Clerk Beryl Herman the results were:

AYES: Trustees Klatzco, Cope, Elster, Leftakes, Patel

NAYS: None

The motion passed

Village President's

1. Recognition

President Turry recognized the passing of longtime Lincolnwood resident and early member of the Telecommunication Commission, Fred Lieder. A moment of silence was observed.

2. Lincolnwood Lasers 2013

President Turry introduced the Lincolnwood Laser 12U Travel Baseball Team and their coaches. The boys played in Dreams Park, just outside Cooperstown New York. President Turry congratulated the team and coaches. President Turry was presented with a team picture which will be displayed in Village Hall.

3. Bethany Korean Church Scholarship Award

President Turry introduced Elder Park of the Bethany Korean Church who presented a Scholarship award to Paula Saelim, a Lincolnwood resident and member of the Lincolnwood Youth Strings. Paula is a graduate of Niles West High School, where she was an outstanding student and a cross country runner. Paula's mother and brother were introduced.

4. Proclamation Regarding Lincolnwood American Legion Post 1226

President Turry read a proclamation regarding the formation of Lincolnwood American Legion Post 1226 in 1953, celebrating the 60th year of the existence of this post.

On September 8, 2013 the Post will celebrate its 60 year Anniversary. Therefore President Turry has proclaimed September 8, 2013 as Lincolnwood American Legion Post 1226 Day and asked the public to extend their thanks to these men and women who have returned from battle and have worked to improve life in Lincolnwood.

Post member Paul Eisterhold accepted a copy of this proclamation on behalf of the post.

5. Art Contest Winners

President Turry and Parks and Recreation Director Janice Hincapie presented these awards to:

- Lorelai Mandel – Grades Kindergarten – 2nd
- Dylan Tran – Grades 3 – 5
- Elaine Tran – Grades 6 – 8

The theme of the contest was "What do you like to do in the park?" The winners each received an art kit, were awarded a certificate and will have their art featured in Village Hall and on the Village cable channel for the month of September.

6. Swearing in of Police Sergeant Larry Martin

Police Chief LaMantia spoke of the history and accomplishments of Larry Martin's years with the Lincolnwood Police. The Martin family was in attendance, as were co-workers, Village staff and representatives of School District 74, where Sergeant Martin has worked as Police Department liaison for many years.

Sergeant Martin was sworn in by Village Clerk Herman and he spoke and thanked all who were in attendance,

7. Recognition of Retiring Deputy Police Chief Cary Lewandowski

Police Chief LaMantia spoke enumerating the many accomplishments of Deputy Chief Lewandowski during his 27 years, as he rose through the ranks in Lincolnwood. The gratitude of the community was expressed for his many years of service.

Deputy Chief Lewandowski spoke thanking the community, his family, friends and co-workers. After speaking he received congratulations and good wishes from the Board members and staff.

Consent agenda

- 1. Approval of a Resolution Authorizing the Village Attorney to Intervene with the Property Tax Appeals Board Concerning Requests from Certain Properties in the Northeast Industrial Tax Increment Financing District for Reduced Assessments of their Properties for the Tax Year 2010**

2. **Approval of a Resolution Consenting to the Appointment David G. Eterno and Susan Davis Brunner as Administrative Hearing Officers**
3. **Approval of a Resolution Authorizing the Village Manager to Execute a Renewal Agreement with American Traffic Solutions, Inc. for a One-Year Period, to Expire on August 4, 2014**
4. **Approval of a Resolution to Reject a Bid for the Purchase of 800 Tons of Bulk Rock Salt**
5. **Approval of a Resolution to Extend the Agreement Between the Village and Integrys Energy Services Inc., to Provide Full-Requirements Electricity Supply within the Village in the Amount of 5.52 ¢/kWh for Residential Customers and 5.45 ¢/kWh for Small Retail Customers through May 2014**
6. **Approval of a Resolution to Purchase and Install (1) Caterpillar C9 200 kW 277/480V Standby Diesel Engine Generator for the Public Works Standpipe and (1) Caterpillar C9 200 kW 120/208V Standby Diesel Engine Generator for the Public Works Main Facility through the National Joint Powers Alliance Contract #SP13030034 from Patten Cat of Elmhurst, IL in the Amount of \$343,466**
7. **Approval of an Ordinance Regarding a Text Amendment to Section 5.20(1)e of the Zoning Code Concerning Public Hearing Notice Requirements for Sites of Two Acres or More**
8. **Approval of an Ordinance Denying a Variation Concerning Parking in the Front Yard at 7350 North Keeler Avenue**
9. **Approval of an Ordinance Approving a Variation Request from Section 4.11 of the Zoning Code to Permit a Detached Garage to Exceed the Maximum 35% Building Coverage at 6849 North Keeler Avenue**
10. **Approval of an Ordinance Approving a Height and Location Variation from Section 3.13(11)h of the Zoning Code to Permit a Fence Located at 3848 West Loyola Avenue**
11. **Approval of a Recommendation by the Zoning Board of Appeals to Adopt an Ordinance Granting a Side Yard Setback Variation from Section 4.11 of the Zoning Code, for the Construction of a Second-Floor Addition to an Existing Residential Structure at 6427 North Kenton Avenue**
12. **Approval of a Recommendation by the Economic Grant, for Property Located at 6501 North Lincoln Avenue**
13. **Approval of a Recommendation by the Plan Commission to Adopt a Resolution Approving a Preliminary and Final Plat of Subdivision for the Property Located at 3700 West Pratt Avenue**

Trustee Patel moved to approve the Consent Agenda as presented. Trustee Klatzco seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Patel, Klatzco, Cope, Leftakes, Elster
NAYS: None

The motion passed.

Regular Business

14. Consideration of an Ordinance Approving the Extension of Time for compliance with Certain Site Restoration Requirements for The Purple Hotel Site

This item was presented by Mr. Wiberg.

After demolition, North Capital Group (NCG) is seeking waivers from the following site restoration requirements

- *All excavated portions of the property must be backfilled
 - *All concrete and asphalt pavement on the property must be removed
 - *Black topsoil must be spread at a minimum depth of four inches
 - *The area must be seeded or sodded
 - *These standards would be waived until either:
 - The Restated Predevelopment Agreement terminates
 - The Village and NCG enter into a development agreement
- The Board sub-committee (Trustees Elster and Patel) agrees with these requests

Attorney Elrod provided clarification on this item, some discussion ensued.

Trustee Patel moved to approve the proposed Ordinance extending the time for compliance with Section 14-4-11-7((A) (2), 14-4-11-7(A)(3) and 14-4-11-7(A)(8) of the Municipal Code of Lincolnwood for properties commonly known as 4500-4560 Touhy Avenue and 7350 North Lincoln Avenue. Trustee Elster seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Patel, Elster, Cope, Klatzco, Leftakes
NAYS: None

The motion passed.

15. Consideration of a Resolution Approving the Restated Predevelopment Agreement between the Village and North Capital Group Pertaining to the Purple Hotel Site

This item was presented by Mr. Wiberg who provided background information.

North Capitol Group Attorney, Mike Frisel addressed the Board.

It was noted that North Capitol Group (NCG) has always been in compliance.

Restated Predevelopment Agreement – Key Elements

- *NCG to supply daily security checks until demolition begins. Once demolition begin, checks to be completed around the site's perimeter at least once each night
- *Fencing is to be secured around the site throughout the demolition process
- *Rodent and pest control must continue throughout the demolition process
- *Landscaping services and refuse removal must continue
- *Stormwater is not allowed to accumulate on the site
- *The water service line must be disconnected at the water main under Touhy Avenue by the time the Agreement terminates
- *The Lincoln/Touhy corner must be improved by a landscaped feature, the plans of which are attached to the agreement
- *NCG must apply for land use relief by December 31
- *Demolition schedule: The existing hotel building must be completely demolished by April 1, 2014
- *If NCG complies with these elements, the Village will not exercise its right to demolish the building

Trustee Patel moved to approve the Restated Agreement. Trustee Elster seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Patel, Elster, Leftakes, Klatzco, Cope

NAYS: None

The motion passed.

16. Consideration of an Ordinance Waiving the Competitive Bidding Process and Authorizing the Village Manager to Execute an Agreement with the Paramedic Services of Illinois, Inc. for the Provision of Code Enforcement Services

This item was presented by Mr. Wiberg.

Mr. Wiberg provided background, presented a Status Report and a Request for Action.

The original agreement for sharing Code Enforcement Services with the municipality of Glenview has been terminated by Glenview. A new source was investigated and P.S.I. was deemed to be a good choice.

Staff recommendation is to approve this selection.

Discussion and questions ensued with Mr. Wiberg providing clarification.

Trustee Leftakes made a motion to approve an ordinance waiving competitive bidding and the execution of this agreement. Trustee Klatzco seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Leftakes, Klatzco, Cope, Patel, Elster

NAYS: None

The motion passed.

17. Consideration of a Recommendation by the Plan Commission Regarding the Zoning Board of Appeals as the Final Authority on Appeals of the Zoning Officer's Determination

This item was presented by Mr. Cook using PowerPoint.

Consideration Process

*December 4, 2012

- Village Board Requested Plan Commission Review of Code Section on Appeals Process

*February 6, March 6&May 1, 2013

- Plan Commission Continued Matter

*July 10, 2013

- Plan Commission Convened Public Hearing

Background

*Recent Appeal of Zoning Officer's Determination

- Building Permit sought for proposed shooting range along Devon Avenue in B2 District
- Zoning Officer determine Use was not a Permitted Use
- Applicant appealed Zoning Officer's determination to the Zoning Board of Appeals (ZBA)
- Final Determination by ZBA – To uphold Zoning Officer's Determination

*Recent Appeal is the only known Appeal ever made

*Currently, ZBA, not Village Board renders final Village Determination on Appeals

*Village Board requested review of provision identifying ZBA as final determiner of Appeals

Plan Commission – Discussion and Recommendation

*No Public Testimony received at Hearing

*Considered Appeals Procedures in nearby Communities

- 7 of 8 Area Communities Process Appeals in the same manner as Lincolnwood (ZBA is Final Determiner) – Des Plaines, Evanston, Glenview, Morton Grove, Niles, Park Ridge and Wilmette

*Skokie, only area community that differs – Final determinations on Appeals are made by Village Board and Mayor

*Plan Commission Recommendation (6-0)

- No change to existing provision: ZBA as Final Determiner

Extensive discussion and questions ensued with participation of Plan Commission Chair Paul Eisterhold.

Trustee Leftakes moved to direct the Village Attorney to draft an Ordinance that would require the Village Board to be the final Appeals Hearing Body. Trustee Elster seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Leftakes, Elster, Patel, Klatzco

NAYS: Trustee Cope

The motion passed.

18. Consideration of a Recommendation by the Plan Commission to Amend Sections 11.04(8), 11.05, and 11.06(1) of the Zoning Code to Clarify Regulations of A-frame, Sandwich Board, and Portable Signs

This item was presented by Mr. Cook using PowerPoint.

Mr. Cook stated that the term “Portable Signs” will be used during this discussion to identify all signs discussed.

Trustee Elster moved to remove this item from the table where it was placed at the Village Board meeting of July 16, 2013, seconded by Trustee Cope.

The motion passed with a Voice Vote.

Text Amendment Process

*Village Board referred Text Amendment to the Plan Commission on November 20, 2012

*Plan Commission continued the matter on January 9, 2013 and February 6, 2013

*Plan Commission convened a Public Hearing on March 6, 2013

*Plan Commission discussed the matter at the March 6, 2013 and June 5, 2013 meetings

Plan Commission Discussion – Major Topics

*Staff requested clarification on regulations relative to A-frame, Sandwich Board and Portable Signs (“Portable Signs”)

- Sign Chapter of Zoning Code is unclear

- #All Portable Signs Prohibited

- #Portable Signs Prohibited in Public Rights-of-Way Only?

- #Portable Signs Permitted in all locations as Special Event/Grand Opening Signs?

*Plan Commission expressed a desire to permit Portable Signs on private property

- Reviewed Neighboring Communities Regulations

- Identified Morton Grove as Preferred Example

*Plan Commission preliminary direction

- Prohibiting Portable Signs would not promote a positive business environment

- Concluded that Portable Signs should not be permitted within Public-Right-of-Way

- Directed Staff to model new standards on Morton Grove Regulations

*Reviewed Portable Signs installed in Lincolnwood at time of Consideration

- Each example reviewed would not comply with Morton Grove Standards

*Plan Commission review of Draft language based on Morton Grove Standard

- Concluded that Portable Signs should not require Sign Permit

- Permitted on private property only

- Portable Signs permitted during business hours only

*Business owner Craig Klatzco commented on standard size and height of Portable Signs

*No other Public Testimony received

Recommended New Language

“Exempt Signs Section 11.05

(24) Portable/A-frame/Sandwich Board Signs: Defined as any movable sign, such as a sandwich board, not permanently attached to the ground or a building and easily removable using ordinary hand tools. Such signs are permitted on private property only subject to the following:

- i. Limited to one (1) for each frontage of a business space;
- ii. Maximum four feet (4’) in height;
- iii. Limited to six (6) square feet per sign face;
- iv. Not allowed in sight triangle;
- v. Signs must be professionally printed or changeable copy board, hand written signs are prohibited;
- vi. Signs shall be free of dents or other damage, shall be maintained in like-new appearance;
- vii. Signs shall only be displayed during the hours that the business space is open for business
- viii. Signs shall be weighted or anchored to not tip over.”

Companion Recommended Language

“Permitted Signs Section 11.04

(8) Special Event/Grand Opening Signs: The following temporary special event signs shall be permitted **on private property only** for a total of two (2) nonconsecutive events per year, but shall not be erected or maintained for a period exceeding fifteen (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:

- i. Portable signs; (omit)
- ii. Pennant/streamer signs;
- iii. Temporary banner signs;
- iv. A-frame signs (omit); and
- v. Other temporary signs for special events not requiring a special sign permit, and as may be approved by the Zoning Officer.”

“Prohibited Signs Section 11.06

The following entire section is to be omitted:

- (1)A-frame, sandwich board and other signs on a sidewalk or curb or between a sidewalk and curb or other parkway, except special-event signs and open house directional signs”

Plan Commission Recommendation

*Recommended by 5-0 vote Text Amendment to adopt regulations for portable signs

*Recommendation includes Amendments to:

- Section 11.04(8) Permitted Signs Section
- Section 11.05 Exempt Signs Section
- Section 11.06(1) Prohibited Signs Section

*Plan Commission forwards consideration that Enforcement of new restrictions begin on January 1, 2014.

Discussion and questions ensued including clarification by Plan Commission Chair, Paul Eisterhold, Mr. Cook and Mr. Clarke.

Trustee Leftakes moved to continue discussion of this item to a future meeting. Trustee Patel seconded the motion.
The motion passed with a Voice Vote.

Manager's Report

1. Mr. Wiberg identified items discussed at this evening's Committee of the Whole. For details of this discussion, see the Committee of the Whole Minutes of August 20, 2013.
2. Mr. Wiberg spoke regarding work scheduled to be performed on Crawford Avenue. Final approval for this work will take place at the next scheduled meeting of the Cook County Board.

Board and Commissions Report

None

Village Clerk's Report

None

Trustee Reports

None

Public Forum

None

Adjournment to Executive Session

Trustee Klatzco moved to adjourn the Regular Meeting of the Village Board to Executive Session for the purpose of discussion of land acquisition and pending litigation at 10:18PM. Trustee Patel seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Klatzco, Patel, Leftakes, Cope, Elster

NAYS: None

The motion passed

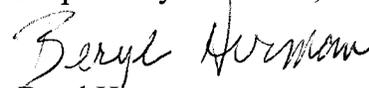
Reconvention

At 10:55P.M. President Turry reconvened the Regular Village Board Meeting.

Adjournment

Trustee Leftakes moved to adjourn the Regular Meeting of the Village Board meeting at 10:56PM. Trustee Klatzco seconded the motion. The motion passed by voice vote.

Respectfully Submitted,


Beryl Herman
Village Clerk