

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
SEPTEMBER 17, 2013**

Call to Order

Village President Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:35 P.M., Tuesday, September 17, 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 Leftakes, Klatzco, Cope, Patel

ABSENT: Trustees Sprogis-Marohn, Elster

A quorum was present.

Also present: Timothy Wiberg, Village Manager; Douglas Petroschius, Assistant Village Manager; Chuck Meyer, Assistant to the Village Manager; Steven Elrod, Village Attorney; Timothy Clarke, Community Development Director; Aaron Cook, Development Manager; Robert Merkel, Finance Director; Joseph Mangan, Accountant.

Approval of Minutes

The minutes of the September 3, 2013 regular Village Board meeting had been distributed in advance and were examined. Trustee Cope moved to approve the minutes as presented. Trustee Klatzco seconded the motion. Trustee Leftakes abstained. The motion passed by Voice Vote.

Warrant Approval

Trustee Klatzco moved to approve Warrants in the amount of \$265,754.01, Trustee Leftakes seconded the motion.

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

AYES: Trustees Klatzco, Leftakes, Patel, Cope, President Turry

NAYS: None

The motion passed

Village President's Report

1. Proclamation Regarding Texting and Driving

President Turry read the proclamation which identified dangers of texting and the research involved in minimizing some of the dangers. He then resolved that September 19, 2013 be recognized as Drive 4 Pledges Day in the Village of Lincolnwood.

The Board concurred.

Consent Agenda

- 1. Approval of a Resolution Authorizing a Lease Agreement with Impact Networking for Six Copy Machines**
- 2. Approval of a Resolution Authorizing the Village Manager to Execute an Intergovernmental Agreement for the Provision of Environmental Health Inspectional Services with the Cook County Department of Public Health**

3. **Approval of a Recommendation by the Committee on Ordinances Rules and Buildings (CORB) to Adopt an Ordinance Adopting the 2009 Edition of Certain International Code Council (ICC) Codes, the 2012 Edition of the International Energy Conservation Code and the 2011 Edition of the National Electric Code (NEC), along with Certain Local Amendments**
4. **Approval of a Resolution Granting an Extension of the Period of Validity for Variations Granted for 6540 North Lincoln Avenue**

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

Upon Roll Call the results were:

AYES: Trustees Klatzco, Patel, Cope, Leftakes, President Turry

NAYS: None

The motion passed.

Regular Business

5. **Consideration of a Recommendation by the Zoning Board of Appeals to Approve a Variation from Section 3.13 of the Zoning Code to Permit a Replacement Fence Comprised of an Unacceptable Fence Material at 3719 West Northshore Avenue**

At the Board meeting of September 3, 2013, Trustee Klatzco moved to Table this item to the Board meeting of September 17, 2013, Trustee Patel seconded the motion. The motion passed with a Voice Vote

Trustee Leftakes moved to remove the item from the Table, seconded by Trustee Patel.

The motion passed with a Voice Vote.

The item is now open for discussion.

Mr. Cook presented the item, provided background and stated that specifications had been investigated by staff.

Petitioner Lee Glickman was in attendance and addressed the Board regarding the history of fences on her property and the fencing materials.

Residential Fence Variation at 3719 West Northshore

Request for fence to be comprised of a material defined as Unacceptable by the Zoning Code.

3719 West Northshore – Proposed Fence

*Replacement Fence for Rear Yard of Property

*Complies with All Bulk Regulations

- Location, Height, Design

*Replacement Material Listed as an Unacceptable Material Type

- Manufactured from Custom Blended Polyvinyl Chloride (PVC)
- PVC Considered a Plastic or Synthetic Material

Information from the Zoning Code regarding Fence Material, Unacceptable was presented

ZBA Deliberations – August 21 2013 Public Hearing

*Noted similar variation granted at 3521 West Arthur

- PC/ZBA unanimously recommended denial of Variation Request for vinyl fence
- Village Board approved requested variation (February 2008)

*ZBA divided on appropriateness of variation

*Ms. Linda Kirshner, applicant's daughter and Lincolnwood resident testified in favor of variation

*No other public testimony was received

ZBA Recommendation – August 21, 2013

*By 3-2 Vote, ZBA recommends approval of requested variation to permit unacceptable fence material

- Commissioners O'Brien, Nickell and Gordon noted PVC material is attractive and durable and material has improved in quality
- Chairman Malkin and Commissioner Grant dissented, noting lack of demonstrated hardship necessary to grant variation
- By 4-1 vote, ZBA also recommends Village Board refer a Text Amendment to consider the list of unacceptable fence materials

Discussion and comments ensued.

Attorney Elrod clarified the situation and offered several options. If this item were referred back to the Plan Commission, it could not be on the agenda until the meeting of November 6, 2013.

Trustee Cope moved to concur with the recommendation of ZBA and direct the attorney to prepare an Ordinance. There was no second-the motion died.

Trustee Leftakes moved to Table the item to the Village Board Meeting of October 1, 2013, seconded by Trustee Cope. The motion passed with a Voice Vote

6. 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 with use of PowerPoint.

Trustee Patel moved to remove this item from the Table and present for consideration, seconded by Trustee Klatzco. The motion passed with a Voice Vote.

The item is now open for discussion.

Mr. Cook presented a map indicating locations of these types of signs in the Village.

Proposed Zoning Code Amendment – Concerning “A-frame, Sandwich Board and Portable Signs”

Amendment to Sections 11.04(8), 11.05 and 11.06(1)

Consideration Process

*November 20, 2012

- Village Board referred the matter to the Plan Commission

*January 9 & February 6, 2013

- Plan Commission continued the matter

*March 6, May 1 & June 5, 2013

- Plan Commission discussed the matter concluding with a recommendation to amend Code

*Discussion of Portable Signs includes “Portable A-Frame & Sandwich Board” style signs

Plan Commission Hearing

*Staff noted existing Code language regulating Portable Signs is not clear

- 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 Desire to Allow Portable Signs on Private Property
 - Reviewed Neighboring Communities Regulations
 - Identified Morton Grove as Preferred Example
- *Plan Commission Reviewed Existing Portable Signs & Locations in Village
- *Concluded
 - Prohibiting Portable Signs Would Not Promote Positive Business Environment
 - Portable Signs Should Not Be Allowed within Public Right-of-Way, Only on Private Property
 - Portable Signs Should Not Require Sign Permit
 - Portable Signs Should Be Allowed Only During Business Hours
- *Plan Commission Reviewed Draft Amendment Language Based on Morton Grove Regulations
- *Business Owner, Craig Klatzco, Commented on Standard Size/Height of Portable Signs
- *No Other Public Testimony Received

Plan Commission Recommended Regulations

- *Portable Signs
 - Limited to one sign for each frontage of a business space
 - Maximum Size: Four feet in height and six square feet per sign face
 - Not allowed in sight-triangle
 - Must be professionally printed or changeable copy board. Hand written signs are prohibited.
 - Shall be free of dents and other damage and maintained in like-new appearance
 - Shall only be displayed during hours that business is open
 - Shall be weighted or anchored to not tip over

Three Recommended Text Amendments to sign Regulation Provisions

- *To Exempt Sign Section (permit not needed)
 - To add new portable sign regulations as indicated above
- *To Permitted Sign Section (permit needed)
 - To clarify that special event signs are only for private property and do not include portable signs
- *To Prohibited Sign Section (prohibited signs)
 - To eliminate references to portable 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 Also Opined
 - Enforcement of New Regulations Not Begin Until January 1, 2014

Recommended new language for the Exempted Signs Section 11.05 was presented as well as Companion recommended language for Permitted Signs Section 11.04 and Prohibited Signs Section (11.06).

Discussion and questions ensued with clarification by Plan Commission Chair Eisterhold.

Trustee Cope moved to concur with the recommendation to amend to direct the Village Attorney to prepare the requisite Ordinance for approval. Trustee Klatzco seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Klatzco, Cope, Leftakes, Patel, President Turry

NAYS: None

7. Consideration of an Ordinance Waiving Enforcement of Section 6-1-5(E)(3) of the Municipal Code and Approving a Special License Agreement for Reconstruction of a Driveway at 6550 North Longmeadow Avenue

This item was presented by Mr. Cook with use of PowerPoint.

Background

*Property Owner Seeks to Replace Existing Driveway with Brick Pavers

- Existing Driveway Encroaches into Adjacent Village Public Sidewalk Right-of-Way
- Existing Driveway Non-Compliant with Two Regulations
 - ^Closer Than One Foot From Side Lot Line
 - ^Driveway Flare Extends Beyond Side Property Line as Extended to Curb

Property Owner Seeks Approval for Continued Use of Village Right-of-Way a Waiver of the Two Regulations

Village Board Action

*Threshold Question:

- Is Village Board Willing to Allow Continued Use of Walkway ROW for Driveway

*If Agreeable to Request:

- Adopt Ordinance with Special License
- Special License Includes Public Works Recommended Requirements

Petitioner/Resident Landini of 6550 N. Longmeadow addressed the Board.

Discussion ensued.

Trustee Cope made a motion to approve an Ordinance waiving enforcement. Trustee Leftakes seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Cope, Klatzco, Leftakes, President Turry

NAYS: Trustee Patel

The motion passed.

8. Consideration of an Ordinance Adopting a Text Amendment to Section 5.13 of the Zoning Code Concerning Final Authority on Appeals of the Zoning Officer's Determination

This item was presented by Mr. Cook.

Approval of this Ordinance would codify the recommendation of the Plan Commission which would allow the Village Board to be the final authority on Appeals.

Trustee Leftakes moved to approve the Ordinance. Trustee Klatzco seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Leftakes, Klatzco, Patel, President Turry

NAYS: None

The motion passed.

Manager's Report

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 September 17, 2013.

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 meeting to Executive Session for the purpose of discussion of Property Acquisition and Personnel at 8:50PM. Trustee Patel seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Klatzco, Patel, Cope, Leftakes

NAYS: None

The motion passed

Reconvention

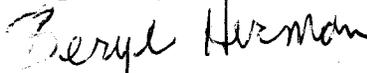
President Turry Reconvened the Regular Meeting at 9:52PM.

Adjournment

At 9:53PM Trustee Klatzco moved to adjourn the Regular Board Meeting, seconded by Trustee Cope

The motion passed with a Voice Vote

Respectfully Submitted,



Beryl Herman
Village Clerk