

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
REGULAR MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
MARCH 18, 2014**

**Call to Order**

Village President Gerald Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:40PM, Tuesday, March 18, 2014 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, Sprogis-Marohn, Cope, Elster, Klatzco, Leftakes

ABSENT: None

A quorum was present.

Also present: Timothy Wiberg, Village Manager; Chuck Meyer, Assistant to the Village Manager; Timothy Clarke, Director of Community Development; Steven Elrod, Village Attorney; Amanda Williams, Management Analyst; Charles Greenstein, Treasurer; Robert LaMantia, Police Chief.

**Approval of Minutes**

The minutes of the March 4, 2014 regular Village Board meeting had been distributed in advance and were examined. Trustee Sprogis-Marohn moved to approve the minutes, Trustee Patel seconded the motion.

The motion passed by Voice Vote. Trustee Elster abstained.

**Warrant Approval**

Trustee Klatzco moved to approve Warrants in the amount of \$786,565.49, Trustee Leftakes seconded the motion.

Upon Roll Call by the Village Clerk the results were:

AYES: Trustees Klatzco, Leftakes, Patel, Cope, Sprogis-Marohn, Elster

NAYS: None

The motion passed

**Village President's Report**

**1. Proclamation Regarding Fair Housing Month**

President Turry read the proclamation stating that April 2014 is National Fair Housing Month in Lincolnwood, to promote appropriate activities by private and public entities intended to provide or advocate for equal housing opportunities for all residents of the Village of Lincolnwood.

The Board Concurred.

A copy of this proclamation was presented to Casey Wittekind of Open Communities.

**2. President Turry announced these upcoming Boards and Commissions Meetings:**

- Village Board Meeting – Tuesday, April 1 at 7:30PM in Council Chambers – Committee of the Whole will begin at 6:30PM
- Traffic Commission Meeting – Thursday, March 20 at 7PM in Council Chambers

Please check the Village Calendar on the Village Website for any Possible Changes

**Consent Agenda**

- 1. Approval of an Ordinance Amending Chapter 9, Article 9, Sections 7 and 8 (Recordkeeping and Reporting By Secondhand Dealers) of the Municipal Code**
- 2. Approval of a Recommendation by the Traffic Commission to Amend Chapter 7, Article 2, Section 22 of the Municipal Code Pertaining to Reserved On-Street Parking Spaces for Disabled Persons**

Trustee Leftakes moved to approve the Consent Agenda as presented. Trustee Elster seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Leftakes, Elster, Klatzco, Cope, Sprogis-Marohn, Patel

NAYS: None

The motion passed

**Regular Business**

- 3. Consideration of a Recommendation by the Zoning Board of Appeals to Approve a Request by Airoom to Eliminate Certain Conditions Contained in Ordinance 95-2199 which Prohibits Parking along the Keystone Avenue Side of the Airoom Building at 6825 North Lincoln Avenue or in the Adjacent Keystone Avenue Right-Of-Way**

This item was introduced. President Turry addressed the audience and requested respect for all opinions which will be expressed. Mr. Clarke requested the opportunity to clarify this item. Attorney Elrod clarified the original provision when written and the process needed now to make changes.

**Request by Airoom for Amendment to an Ordinance Granting a Variation**

Request is to eliminate certain conditions found in Section 2 of Ordinance No. 95-2199 which prohibit parking along Keystone Avenue

Exhibit K was presented.

**Background**

1995 PC/ZBA Hearing Held on Three requests

- Building Height Variation
- Front-yard Setback Variation
- “additional parking along Keystone requiring use of Village Parkway”

1995 PC/ZBA Recommendations

- Deny Height Variation
- Reject Parking Request as shown on Exhibit K
- Recommend Front Yard Variation with Condition

\*Install and maintain grass, trees, shrubs as directed by Building Commissioner on property east of building and on adjacent Keystone Parkway

Adopted Ordinance 95-2199

\*Front yard setback approved subject to conditions.

- There shall be no parking along the Keystone side of the building on the subject property or in the Village right-of-way as presented on Exhibit K...or in any other manner whether or not submitted to the Village on any other plans
- In order to provide some screening of the new building, and specifically due to the loss of front yard setback, applicant shall install and maintain, solely at its own cost, grass, trees, shrubs and other landscaping on its own property to the east of its building and also on the Village parkway adjacent thereto along Keystone

Since 1995

- Established Landscape Requirements for Off-Street Parking and Commercial Buildings
- Established Parkway Landscape Requirements
- Established Traffic Commission and Procedure for Considering and Approving Specified Locations for Parkway Parking

2014 Requested Action

\*Remove Conditions Related to Parking Along Keystone

- Removal of conditions would **NOT** approve any parking
- Approval of any parkway parking requires specific action by Village Board with deliberations by the Traffic Commission
- Approval of any off-street parking (on subject property) along Keystone would require hearing before ZBA and approval of variations

ZBA Public Hearing

\*Held on February 19, 2014

\*All Public Testimony Received Against Airoom's Request

- Six citizens testified in person
- One letter received

\*ZBA Recommends Approval (3-1) of Requested Amendment to Remove 1995 Conditions Relating to Parking

The following individuals addressed the Board expressing negative concerns regarding changes to Ordinance 95-2199:

Nila Bayvas

Joseph Noferi – 6924 Keystone

Buzz Alpert – 7220 Keeler

Howard Cohan – 7230 Keeler

Mike Gebrehuwet – 6826 Keystone

Bertha Gimbell – 7000 McCormick

Raymon Grossman – 3827 Sherwin

Smret Smith – 6826 Keystone

P. Stavinoga – 4712 Devon

Georgia Talaganis – 3955 Estes

April Vanderporten – 6648 Kenneth

Michael Klein, owner of Airoom addressed the Board offering clarification of the parking plan and additional background information

Discussion ensued.

President Turry requested a motion to concur with the recommendation of the Zoning Board of Appeals, to approve the elimination of conditions contained in Ordinance 95-2199.

No motion was made.

President Turry announced that because no motion was made, the Village Board has taken no action on this request at this meeting.

At the request of President Turry, Attorney Elrod clarified and explained what the status of the ZBA recommendation is in light of the non-action by the Board. Attorney Elrod noted that Article V of the Zoning Ordinance provides the Village Board with a 45 day time period within which to act on matters referred to it from the ZBA. Failure of the Village Board to act within such 45 day time period shall be deemed to be a decision of denial. This means that the Board still has the opportunity to act on the Airoom application. The matter was received from the ZBA on March 14, 2014. The Village Board has 45 days after that to act on the matter. The Village President or the Village Manager can put the matter on the agenda.

**4. Consideration of a Recommendation by the Plan Commission Regarding Zoning Ordinance Text Amendments to Section 2.02 Definitions of "Fence Material, Unacceptable" and Section 3.13 Fences and Natural Screening**

This item was presented by Mr. Clarke using PowerPoint.

Existing Village Code – Prohibits Throughout the Village

\*Use of Plastic or Synthetic Materials for Fences, Including the Use of PVC (PolyVinyl Chloride)

Consideration Process – Village Board September 3, 2013

- \*Considered a Variation Request to Permit PVC Fence at 3719 West Northshore Avenue
  - ZBA Recommends Variation (3-2)
  - ZBA Recommends Consideration of a Text Amendment to Allow PVC for Fences (4-1)
  - Village Board Continues Northshore Variation Request to April 1, 2014
  - Village Board Refers to Plan Commission Consideration of a Text Amendment Concerning PVC Material for Fences

Plan Commission Meetings

\*November 6, 2013, December 4, 2013, February 5, 2014 Meetings

- Commission Deliberations Occurred and were Continued

\*February 26, 2014 Meeting

- Commission Concludes Deliberations
- Recommends Code Amendment to Permit PVC as Fence Material with Restrictions

Plan Commission Hearing

\*Staff Presented Research from 10 Neighboring Communities

- Nine of the Ten Area Communities Permit PVC Fences without Restriction

- Evanston Permits PVC Fences with Restrictions
- \*ZBA Commissioner Gordon Addressed Plan Commission
  - Testified in Favor of PVC Fences and Opposed Trex (a Hybrid Material, Currently a Permitted Fence Material)
  - States PVC is More Durable than Trex
- \*No Other Public Testimony Received

Plan Commission Deliberations

- \*Discussed PVC Versus Other Fence Material Durability
  - Determined Comparison is Difficult
- \*Determined PVC Material is Appropriate with Possible Restrictions
  - Require Internal Metal Reinforcements for Posts and Rails
  - Prohibiting Solid PVC Fences
  - Require High Density Material for PVC Fences
- \*Considered Restricting Color of PVC Fences
  - Determined Color Restriction Not Appropriate

Plan Commission Recommends – 6-0 Vote

Text Amendments

- \*To Permit PVC Fences Subject to:
  - PVC Must be Mono-Extrusion (Single Batch Solid Material without Consistent Color Throughout)
  - Post and Horizontal Components Must Have Wall Thickness of At Least 120 Inches
  - PVC Materials Must Include UV Inhibitors
  - Posts and Bottom Rails Must Include Internal Metal Rail for Reinforcement
  - Require Routed in Pickets and Routed Posts
  - Solid PVC Fences are Prohibited
- \*To Specifically Permit Fences Comprised of Trex

Trustee Cope moved to have the Village Attorney draft an Ordinance concurring with the recommendation of the Plan Commission. Trustee Leftakes seconded the motion.

Upon Roll Call the results were:

AYES: Trustees Cope, Leftakes, Klatzco, Elster, Patel, Sprogis-Marohn

NAYS: None

The motion passed

**Manager's Report**

Mr. Wiberg spoke regarding the upcoming Crawford Avenue work to be done by the County. We are expecting disruption in traffic. There will be a Community Meeting regarding this item on Thursday, March 20 in Council Chambers at 7PM.

**Board and Commissions Report**

None

**Village Clerk's Report**

Polls are closed, election day is over until November. If you wish to vote in the November election, come in to register as soon as possible.

**Trustee Report**

None

**Public Forum**

None

**Adjournment to Executive Session**

At 9:30PM Trustee Klatzco moved to adjourn the meeting to Executive Session for the purpose of a discussion of Personnel and Land Acquisition, seconded by Trustee Elster.

Upon Roll Call the results were:

AYES: Trustees Patel, Leftakes, Sprogis-Marohn, Klatzco, Cope, Elster

NAYS: None

**Reconvention**

President Turry reconvened the Regular Meeting of the Village Board at 11:16PM.

**Adjournment**

Trustee Patel moved to adjourn the Regular Meeting at 11:17PM, seconded by Trustee Klatzco. The motion passed with a Voice Vote

Respectfully Submitted,

  
Beryl Herman  
Village Clerk