

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
APRIL 17, 2014**

Call to Order

Village President Gerald Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:50PM, Thursday, April 17, 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 Cope, Klatzco, Leftakes, Patel, Sprogis-Marohn, Elster

ABSENT: Trustee None

A quorum was present.

Also present: Timothy Wiberg, Village Manager; Douglas Petroschius, Assistant 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.

Approval of Minutes

The minutes of the April 1, 2014 regular Village Board meeting had been distributed in advance and were examined. Trustee Sprogis-Marohn moved to approve the minutes, Trustee Elster seconded the motion. The motion passed by Voice Vote.

Warrant Approval

Trustee Klatzco moved to approve Warrants in the amount of \$661,721.52, Trustee Elster seconded the motion.

Upon Roll Call by the Village Clerk the results were:

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

NAYS: None

The motion passed

Village President's Report

1. Appointment of Martina Keller to the Zoning Board of Appeals

President Turry announced the appointment of Martina Keller to the Commission. Ms. Keller was previously a member and the chair of the Human Relations Commission.

The Board concurred.

2. Arbor Day

President Turry congratulated the Village on being named 2013 Tree City USA.

3. Drug Drop Off

President Turry announced that April 26 will be the day to go to the Metropolitan Water Reclamation Department (MWRD) at Howard and McCormick between 10AM and 2PM, drive in and drop off unused medications rather than disposing of them any other way.

4. President Turry announced these upcoming meetings:

- Board of Fire and Police Commission Meeting- Tuesday, April 22 at 5PM,Village Hall Board Conference Room
 - Board of Fire and Police Commission Meeting-Wednesday, April 23 at 5PM Village Hall Board Conference Room
 - Police Pension Board Meeting – Thursday, April 24 at 7PM in Council Chambers
 - Parks and Recreation Board Meeting – Tuesday, April 29 at 7PM in Council Chambers
 - Village Board Meeting – Tuesday, May 6 at 7:30PM in Council Chambers
- Committee of the Whole will commence at 6:30

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

Consent Agenda

1. **Approval of an Ordinance Amending Village Code Section 10, Chapter 2, Article 20 (A), (1), to Allow a Two-Hour Extension of the Closing Time of the Current Liquor License Holder at Psistaria Restaurant**
2. **Approval of a Resolution Adopting the Strategic Master Technology Plan for Fiscal Year 2014-15**
3. **Approval of a Resolution Approving an Easement Agreement with the Metropolitan Water Reclamation District for the Maintenance of a Storm Sewer**
4. **Approval of an Ordinance Authorizing the Sale and Disposal of Personal Property Owned by the Village**
5. **Approval of a Resolution Authorizing the Extension of a Contract to Lauterbach and Amen, LLP, Certified Public Accountants to Provide the Annual Auditing Services for the Village for the Fiscal Year Ended April 30, 2014 in the Not-to-Exceed Amount of \$31,260**
6. **Approval of a Resolution to Authorize the Village President to Execute the Following Agreements for a Dedicated Left Hand Turn Lane on Central at Pratt: (A) a Phase III Engineering Agreement, and (B) a Local Agency Agreement for Federal Participation**
7. **Approval of an Ordinance Waiving Enforcement of Section 14-14-10 of the Municipal Code to Allow the Village’s Streetlight Installation Contractor to Work between 12:00 P.M. and 3:00 P.M. on Saturdays from April 26, 2014 through July 19, 2014**

Trustee Cope requested clarification of Item #7; which was provided.

Trustee Sprogis-Marohn moved to approve the Consent Agenda as presented. Trustee Leftakes seconded the motion.

Upon Roll Call the results were:

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

NAYS: None

The motion passed

Regular Business

8. Consideration of a Referral to the Plan Commission for Public Hearing of a Request by Brickyard Bank for a Zoning Code Text and Map Amendment

This item was presented by Mr. Clarke with the use of a PowerPoint presentation. The owner of Brickyard Bank addressed the Board.

Existing Zoning Code Text Provisions

- *Presently new banks in Village are only permitted in the B2 Zoning District
- *All existing banks not in the B2 Zoning District are considered legal non-conforming uses
- *Legal Non-Conforming Uses cannot relocate or expand

Brickyard Bank - Nature of Text Amendment Request

- *Bank currently located at 6676 Lincoln Avenue as a tenant
 - Existing Location is within the Business Residential Transition Overlay Area of the B1 Zoning District
- *Bank Desires to relocate to 6530 Lincoln Avenue, property currently owned by Bank
 - Location is within the Business Residential Transition Overlay Area of the B1 Zoning District
- *Bank Desires a text amendment to allow Bank relocation
- *Bank currently determining whether to reuse existing building or construct new at 6530 Lincoln

Proposed Zoning Code Text Amendment

- *Would Allow via Village Special Use Approval, Relocation of Existing Banks, Savings & Loans and Credit Unions within the Business Residential Transition Overlay of the B1 Zoning District
- *Existing Banks, Savings & Loans and Credit Unions relocating within this specific overlay area would retain their legal Non-conforming Use status after relocation
- *Proposed Amendment does not allow new banks
 - Only pertains to existing banks now located in this specific overlay zone

Existing and proposed bank locations were exhibited on a map, as well as a photo of the current structure at 6530 Lincoln Avenue.

Proposed Map Amendment

- *Property at 6530 Lincoln Avenue currently is bisected by the Zoning Boundary line between B1 (Business Residential Transition Overlay) and MB Light Manufacturing Business Zone
- *Existing Zoning Map Boundary line Through Property
 - Considered Longstanding Mapping Error
 - Proposed Map Amendment would Correct Mapping Error and Include Entire Property Within the B1 Zone and the Business Residential Transition Overlay

Aerial views and additional maps were exhibited

Timelines

- *Text Amendment Public Hearing
 - May 7, 2014, 7PM before Plan Commission
- *Map Amendment and Special Use Hearings
 - Pending Adoption of Proposed Text Amendment
 - Pending Bank Re-use/New Construction Determination

Public Hearing Referral

Intended to:

- To inform Village Board
- To allow Village Board members to provide early feedback to Petitioner on Proposed Amendments

Discussion and questions ensued.

Trustee Leftakes moved to refer the item to the Plan Commission, seconded by Trustee Cope. The motion passed with a Voice Vote.

9. 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

Attorney Elrod provided clarification regarding this recommendation.

No action was taken at the Village Board Meeting of March 18, 2014.

The Board may still take action. It was determined that this item be placed properly on tonight's agenda.

Mr. Wiberg stated that he met with residents. He reported on concerns of residents as well as areas of agreement.

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

Aerial photographs were exhibited.

Background

1995 PCZBA Hearing Held on 3 Requests

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

1995 PCZBA 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 plan".

- “In order to provide some screening of the new building and specifically due to the loss of front yard setback, the 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 & Procedure for Considering & 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 Traffic Commission
 - Approval of any off-street parking (on subject property) along Keystone would require hearing before ZBA and approval of variation(s)

ZBA Public Hearing

- *Held on February 19, 2014
- *All Public Testimony Received against Airoom’s Request
 - 6 citizens testified orally
 - 1 written letter received
- *ZBA Recommends Approval (3-1) of Requested Amendment to Remove 1995 Conditions Related to Parking

Proposed overview sketches and aerial views were exhibited.

Trustee Patel moved to direct the Village Attorney to prepare an Ordinance to rescind the previous 1995 Ordinance, seconded by Trustee Sprogis-Marohn.

President Turry clarified the meaning of this motion. Trustee Elster requested additional clarification which was provided by Attorney Elrod.

The following persons addressed the Board:

- Resident Georgia Talaganis
- Resident April Van der Porten
- Business owner Mike Klein

A motion and a second remained open and not voted upon.

Upon Roll Call the Results were:

AYES: Trustees Patel, Sprogis-Mahron, Klatzco

NAYS: Trustees Leftakes, Elster, Cope

The tie vote resulted in President Turry’s vote. President Turry voted AYE, which passed the approval of the Zoning Board recommendation.

10. Consideration of Business Points for a Potential Intergovernmental Agreement with School District #74, Lincolnwood Library District, and School District #219

This item was presented by Mr. Wiberg.

Trustee Klatzco recused himself for the duration of discussion of this item.

Devon-Lincoln TIF District – Proposed TIF District

1. All Incremental Tax Revenues Received After Cumulative Receipt of \$20 Million During Life of TIF to be Declared Surplus and Distributed to Taxing Districts
2. TIF District Reduced to 15 Years in Length
3. If Residential Development in TIF Occurs, Increment Attributed to Residential Parcels to be Declared Surplus and Distributed to Taxing Districts

NEID TIF District – Existing TIF District

1. Amount of Funds Received by Village from Grants to Reimburse UP ROW Acquisition and Bike Path Construction Costs to be Declared Surplus and Distributed to Taxing Districts
2. 50% of all Tax Increment Revenue, Commencing with 2013 Taxes Paid in 2014, Shall be Declared Surplus and Distributed to Taxing Districts

Touhy-Lawndale TIF District – Existing TIF District

1. After Satisfaction of Existing Commitment to Lowe's, All Remaining Funds Collected Shall be Declared Surplus and Distributed to Taxing Districts

Lincoln-Touhy TIF District – Existing and Proposed for Expansion

1. In Event of Residential Component, Prorate Share of Tax Increment Attributed to Residential Parcel(s) and Declare that Amount Surplus and Distribute to Taxing Districts

Discussion ensued regarding the possibility of a Residential component being included in developments and the consideration given to the schools over and above state statutes.

If agreement can be reached on points of the Devon/Lincoln TIF the Joint Review Board (JRB) will reconvene and vote for approval of the Devon/Lincoln TIF.

Items for Review

Board responses in *italics*

*Devon/ Lincoln TIF

- All incremental Tax Revenues received after cumulative receipt of \$20 million during life of TIF to be declared surplus and distributed to taxing districts –*Agreed, but dollar amount needs to be refined*
- TIF District reduced to 15 years in length – *Agreed, but length needs to be refined (Turry and Leftakes opposed)*
- If residential development in TIF occurs, increment attributed to residential parcels to be declared surplus and distributed to taxing districts - *Agreed, carve out residential from the Devon/Lincoln TIF Redevelopment Plan so that the JRB would have to be involved.*

***NEID TIF District**

- Amount of funds received by Village from grants to reimburse UP ROW acquisition and bike path construction costs to be declared surplus and distributed to taxing districts – *Agreed*
- 50% of all Tax Increment Revenue commencing with 2013 taxes paid in 2014 shall be declared surplus and distributed to taxing district – *Do not include*

***Touhy/ Lawndale TIF**

- After satisfaction of existing commitment to Lowe's, all remaining funds collected shall be declared surplus and distributed to taxing districts – *Agreed (Opposed by Cope)*

***Lincoln/Touhy TIF**

- In event of residential component, prorate share of Tax Increment attributed to residential parcel(s) and declare that amount surplus and distribute to taxing districts – *Agreed, develop a payment formula to the SD if residential is created in the future in the TIF.*

The Village Attorney will draft the appropriate documents.

11. Consideration of an Intergovernmental Agreement between the Village and the Illinois Department of Transportation to Upgrade the Traffic Signals on State Highways within the Village

This item was presented by Ms. Engelmann.

A map of the proposed area was exhibited.

Mrs. Engelmann provided background information.

The State will pay 80% of the costs for these upgrades, the cost to the Village will be approximately \$12,000.

Discussion ensued regarding timing of light countdown. There were concerns over pedestrians having time to get across intersections.

Mrs. Engelmann will look into extensions of timing.

Trustee Elster moved to approve the Agreement, seconded by Trustee Klatzco.

Upon Roll Call the Results were:

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

President Turry sent good wishes to all who celebrate Easter, Eastern Orthodox Easter and Passover.

Manager's Report

Mr. Wiberg announced that Village offices would be closed tomorrow, April 18, for Good Friday. Offices will reopen on Monday, April 21.

Mr. Wiberg announced that the next Village Board Meeting will be Tuesday, May 6.

Board and Commissions Report

None

Village Clerk's Report

None

Trustees Report

Trustee Klatzco announced that there are three days left to submit nominees for the Human Relations Award.

Trustee Patel stated that the Plan Commission met to discuss TIF incentive requests

Public Forum

None

Adjournment to Executive Session

Trustee Patel moved to adjourn the Regular Meeting to Executive Session for the purpose of discussion of possible Land Acquisition at 9:35PM, seconded by Trustee Elster.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed

Reconvention

President Turry reconvened the Regular Board Meeting at 9:51PM.

Adjournment

At 9:52 Trustee Sprogis-Marohn moved to adjourn the Regular Board Meeting, seconded by Trustee Leftakes.

The motion passed with a Voice Vote

Respectfully Submitted,



Beryl Herman

Village Clerk