

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
JUNE 3, 2014**

Call to Order

Village President Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:36 P.M., Tuesday, June 3, 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 Deputy Village Clerk Charles Meyer the following were:

PRESENT: President Turry, Trustees Patel, Sprogis-Marohn, Elster, Klatzco, Leftakes

ABSENT: Trustees Cope

A quorum was present.

Also present: Timothy Wiberg, Village Manager; Chuck Meyer, Assistant to the Village Manager and Acting Village Clerk; Peter Friedman, Village Attorney; Amanda Williams, Management Analyst; Timothy Clarke, Director of Community Development; Aaron Cook, Development Manager; Robert LaMantia, Chief of Police; Ashley Engelmann, Assistant to the Public Works Director; Joseph Mangan, Accountant; Charles Greenstein, Treasurer

Approval of Minutes

The minutes of the May 20, 2014 regular Village Board meeting had been distributed in advance and were examined. Trustee Sprogis-Marohn made a motion to approve the minutes as presented. Trustee Patel seconded the motion.

The motion passed by Voice Vote, 4-0. Trustee Elster abstained.

Warrant Approval

Trustee Klatzco moved to approve Warrants in the amount of \$637,978.58, Trustee Elster seconded the motion.

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

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

NAYS: None

The motion passed and the Warrants were approved.

Village President's Report

President Turry announced the next upcoming public meetings and events.

Consent Agenda

President Turry announced the following items on the Consent Agenda.

1. Approval of a Resolution Adopting Prevailing Wages Effective May 1, 2014 for the State of Illinois Prevailing Wage Act
2. Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Granting Verizon Wireless a Special Use Permit for the Construction of Personal Wireless Service Facilities on an Existing Freestanding Tower at 7017 North Central Park Avenue

3. Approval of a Recommendation by the Plan Commission Regarding Certain Zoning Ordinance Text Amendments to the Legal Nonconforming Uses Section Pertaining to Bank, Credit Union, or Savings and Loan Uses

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

Upon a Roll Call vote the results were:

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

NAYS: None

The motion passed

Regular Business

4. Consideration of an Ordinance Waiving the Competitive Bidding Process and Authorizing the Village Manager to Enter into an Agreement for the Village's Electricity Aggregation Program

This item was presented by Ms. Engelmann who provided background on the matter.

Background

- April 5, 2011 – Referendum was approved to conduct an opt-out program
 - Joint bid process conducted with Grayslake and Oakbrook
 - October 18, 2011 – The Village Board approved a two year agreement with Integrys Energy Services, Inc. (“Integrys”) for a 30% savings over ComEd’s rate at the time
- August 20, 2013 – Extended the agreement with Integrys through May 2014
- March of 2014 staff became aware that ComEd’s rate release would be delayed until late May of 2014
 - April 1, 2014 – The Village Board approved an additional extension with Integrys through the August 2014 meter read date

Request for Qualifications (RFQ) Process

- May 1, 2014 – Staff released an RFQ
 - RFQ notice was published in the *Pioneer Press*
 - RFQ was sent to 51 vendors
 - May 22, 2014 – The Village received no responses to the RFQ
- Vendors indicated that they could not agree to the Village’s power supply agreement which required that if ComEd lowered their rate they would either match the rate or return the customers to ComEd

Rate Negotiation Process

- May 27, 2014 – Executed agreement with Mark Pruitt of the Illinois Community Choice Aggregation Network to assist with soliciting quotes from qualified vendors and evaluating the best option for the Village
- Ordinance for consideration provides the Village Manager the authority to execute an agreement

Schedule

- Prior to June 10
 - Review rate quotes for various contract periods (September 2014-May 2015, 24 months, etc.)

- Present options to the Village Manager, if favorable pricing is obtained a contract will be executed
 - Existing accounts with Integrys will begin service with new supplier with the September billing cycle
 - New accounts that are not on the Village's program but would like to participate will begin in October
- Favorable pricing not obtained before June 10
 - Customers may be returned to ComEd for up to two billing cycles while pricing is negotiated (after two billing cycles the account will be placed on a ten month hold with ComEd)
 - The Village Manager will have the authority to execute an agreement through August

Mark Pruitt of the Illinois Community Choice Aggregation Network provided further information on the competitive bid process that will be run by the Illinois Community Choice Aggregation Network and commended the Board on their efforts to find savings through electrical aggregation.

Ms. Engelmann provided further clarification that residents will receive a 21 day opt-out period letter along with drafting press releases for the program.

Trustee Sprogis-Marohn made a motion to approve the Ordinance. Trustee Leftakes seconded the motion.

Upon Roll Call the results were:

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

NAYS: None

The motion passed.

5. Consideration of Three Ordinances, Which Together, Would Amend the Lincoln-Touhy 34 Tax Increment Financing (TIF) District to Include Certain Adjacent Parcels Located Generally to the North and West of the Existing District

This item was presented by Mr. Clarke who provided background on the matter.

Proposed Lincoln-Touhy TIF Amendment

- Is a Boundary Amendment to include within the TIF District
 - Two office properties to north
 - Adjoining Commonwealth Edison property
- Amendment Request by North Capital Group
 - To Include within TIF entire proposed Shoppes at Lincoln Pointe
- No Other Substantive Change Proposed
 - No change to budget
 - No change to length of TIF

TIF Qualification

- Kane McKenna and Associates (KMA) Reviewed Proposed Amended Area
 - Determines if it qualifies for TIF Designation under State Conservation Area Criteria
 - At least 50% of structures must be 35 years or older
 - At least three of 13 additional state factors must be present
 - KMA found
 - At least 50% of structure were 35 years or older

- Prohibit parking of any commercial truck, trailer, semi-trailer, bus, or commercial vehicle on any residential roadway or residential driveway between 7:00 p.m. and 7:00 a.m.
- Define taxi and livery vehicles as commercial vehicles.
- The Police Department conducted a windshield survey and counted 10 taxi vehicles parked in residential driveways overnight. Six of the property owners had a garage.
- Define non-commercial vehicles as having single rear wheels only, no signs, no advertisements, no business identifications, no business license plates, no attached auxiliary equipment, no snow plows, no equipment racks, and/or no storage boxes or lockers.
- Prohibit debris, construction materials and/or equipment intended for commercial or business use from being present in a non-commercial vehicle, whether open or covered.
- Require non-commercial cargo and panel vans to have side and rear windows and seating behind the driver's seat.

Rationale

- Improve the character of the community.
- Minimize challenges associated with enforcement.
- Address a concern that parking commercial vehicles on residential streets compromises safety.

Chief LaMantia responded to questions from the Village Board and clarified issues raised by Trustees.

Resident Danny May of 6907 N Kilpatrick addressed the Board regarding this issue. The resident stated that he cannot fit his commercial vehicle into his garage but uses it for everything for both work and personal use. The resident stated that he was against the proposed ordinance.

Resident David May of 6907 N Kilpatrick addressed the Board regarding this issue. The resident stated that he was in real estate and said that in his opinion commercial vehicles do not affect the aesthetics of neighborhoods.

Traffic Commissioner Georjean Nickell addressed the Board regarding this issue and the rationale regarding the Traffic Commission's recommendation. The Commissioner stated that the impetus for this recommendation was to address concerns related to safety, aesthetics, and advertising.

Trustee Patel made a motion to refer this item to CORB for further review with the intent to have it appear before the Board at a later date. Trustee Elster seconded the motion. The motion passed by Voice Vote, 5-0.

7. Consideration of a Recommendation by the Plan Commission to Grant a Special Use Permit for a Package Goods Liquor Store at 7177 North Lincoln Avenue

This item was presented by Aaron Cook who provided background on the matter.

Components of the Proposed Package Goods Liquor Store

- Approximately 4,000 SF Total
- 3,500 SF of Retail Floor
- Approx. 200 SF of Cooler Space
- Cashier Area with Cigarette Display
- Lottery Machine

Existing Package Goods Alcohol Sales in the Village

- Two Existing Packaged Goods Liquor Stores:
 - Lincolnwood Wines & Spirits, 6929 N. Lincoln Avenue
 - Miska's Keystone Liquors, 6423 N. Cicero Avenue
- Four Existing Retailers with Alcohol Sales:
 - Lincolnwood Produce, 7175 N. Lincoln Avenue
 - Walgreens, 6770 N. Lincoln Avenue
 - CVS, 3950 W. Devon Avenue
 - CVS, 7179 N. Lincoln Avenue

Prior 2008 Village Action Concerning Liquor Store Proposal at 7177 N Lincoln Avenue

- August 2008 – Village Board
 - By 4-1 Vote, Concurred with PC/ZBA Recommendation to Approve Subject to Off-Street Parking Lot Improvements
- Applicant Withdrew Request
 - Proposed Ordinance Not Approved

Previous Village Action Concerning Lincolnwood Wine & Spirits

- January 2009 – Special Use Granted
 - *Approval Required Site Improvements and Operational Conditions*
 - Operational Conditions Included: Minimum shelf space for wine and cheese; maximum shelf space for spirits, beer, soft drinks; no display of beer cases; no sales of kegs, single beer cans, spirits in less than three ounces, cigarettes, or lottery tickets; no window signage; wine expert required; and wine tasting restrictions
- November 2010 – Special Use Amended
 - *Several Operational Conditions Eliminated*
 - Allowed Increased shelf space limit for spirits, cold beer, and display of beer cases; allowed kegs and cigarette sales; and various changes to alcoholic tastings
- June 2012 – Special Use Amended
 - *Additional Operational Conditions Eliminated*
 - Allowed Increased shelf space limit for spirits, allowed window signs

Plan Commission Proceedings

- Public Hearing
 - Held on May 7, 2014
- Testimony Received from Petitioner
 - Kathy O'Brien, Agent for Petitioner
 - Bill Assimakopoulos, Petitioner and Owner
- No Additional Public Testimony Received
- Plan Commission Discussion Focused on Applicability of Past Conditions
 - Consensus of Plan Commission was to Not Impose Conditions
 - Commissioner Sampen Stated Village Consistency Between Like Uses Important. Therefore Favored Imposing Conditions like Lincolnwood Wines & Spirits

Plan Commission Recommendation

- By 5-1 vote, Recommends Approval of Special Use to Permit Package Goods Liquor Store at 7177 North Lincoln
- Dissenting Vote by Commissioner Sampen

- Desired Village consistency between like uses
- Noted conditions imposed on Lincolnwood Wines & Spirits

Aaron Cook and Timothy Clarke responded to questions from the Village Board and clarified issues raised by Trustees.

Kathy O'Brien on behalf of the petitioner and Bill Assimakopoulos, the petitioner, spoke to the request and answered questions from the Village Board.

Plan Commission Chairman Paul Eisterhold spoke to the rationale of the Plan Commission in recommending the proposed Special Use Permit without additional restrictions.

Resident Donald Gelfund of 7310 Tripp Avenue spoke on this item. Mr. Gelfund stated that he lives near the proposed site and was in favor of the proposed liquor store.

Trustee Sprogis-Marohn made a motion to direct the Village Attorney to draft an ordinance consistent with the Plan Commission recommendation. Trustee Patel seconded the motion.

Upon a Roll Call vote the results were:

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

NAYS: None

The motion passed

8. Consideration of a Recommendation by the Plan Commission Concerning a Moratorium on Residential Development within the Lincoln Avenue Overlay Districts

Trustee Elster made a motion to postpone discussion of the item to the June 17 Village Board meeting. Trustee Klatzco seconded the motion.

The motion passed by Voice Vote, 5-0.

9. Consideration of an Ordinance Adopting Various Zoning Ordinance Text Amendments to the Definitions Section and to the Off-Street Parking Requirements

Trustee Leftakes made a motion to approve an ordinance to amend section 2.02 and Section 7.10 of the Zoning Code concerning various definition and off-street parking requirements. Trustee Elster seconded the motion.

Upon a Roll Call vote the results were:

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

NAYS: None

The motion passed

Manager's Report

Mr. Wiberg asked for the Assistant to the Public Works Director Engelmann to provide an update regarding construction on Crawford Avenue. The update included the following:

- Project construction was on schedule with regular meetings between all governments involved in the project being consistently held.
- Water shutoffs for the area have started and the Village is actively notifying the affected residents.
- The Village continues to provide regular updates on construction for the area.

Mr. Wiberg provided an update regarding complaints that have been received regarding streetlight replacement and stated that the new streetlights are replacing older cement lights that created safety concerns and were costly to fix and replace.

Board and Commissions Report

Trustee Patel reported that the Economic Development Commission would be meeting on Friday, June 6.

Village Clerk's Report

None.

Trustee Reports

Trustee Klatzco reported that the Human Relations Commission was continuing to accept applicants for the Commission.

Public Forum

None.

Adjournment

Trustee Patel moved to adjourn the Regular Meeting of the Village Board meeting at 10:05 P.M. Trustee Elster seconded the motion. The motion passed with a Voice Vote, 5-0.

Respectfully Submitted,



Charles Meyer
Deputy Village Clerk