

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
JULY 15, 2014**

Call to Order

Village President Gerald Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:37P.M., Tuesday, July 15, 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 Elster, Patel, Cope, Leftakes, Klatzco, Sprogis-Marohn

ABSENT: None

A quorum was present. Also present: Timothy Wiberg, Village Manager; Charles Meyer, Assistant to the Village Manager; Aaron Cook, Community Development Manager; Robert LaMantia, Chief of Police;

Approval of Minutes

The minutes of the June 17, 2014 regular Village Board meeting and the June 24, 2014 Special Village Board meeting had been distributed in advance and were examined. Trustee Sprogis-Marohn moved to approve in omnibus the presented minutes. The motion was seconded by Trustee Elster.

The motion passed with a Voice Vote.

Warrant Approval

Trustee Klatzco moved to approve Warrants in the amount of \$880,739.33. Trustee Leftakes seconded the motion.

Upon a Roll Call vote by the Village Clerk the results were:

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

NAYS: None

The motion passed

Village President's Report

1. Swearing in of Police Officer Emily Field

Chief LaMantia spoke of Ms. Field's background and qualifications. He introduced her family in attendance.

Clerk Herman administered the oath. Officer Field spoke thanking all for this opportunity. The new officer was congratulated and welcomed by the members of the Board and President Turry.

2. Reappointment to Boards and Commissions

Board of Fire and Police Commission

Glen Wherfel

Board of Trustees of Police Pension Fund

Marilyn Marwedel, Joel Perzov

Economic Development Commission

Terrance Strauch, Nadia Seniuta

Human Relations Commission

Mary Koleff-May, Talin Hitik

Park and Recreation Board

Demerise Gratch, Sarah Hardin

Plan Commission

Patricia Goldfein, Mark Yohanna

Zoning Board of Appeals

Christopher Nickell, Kathy O'Brien

Traffic Commission

Antonio Costantino, Scott Troiani

The Board concurred with all named reappointments

3. New Appointment to Plan Commission

Plan Commission

Tony Pauletto

Trustee Elster requested a Roll Call vote on approval of this appointment.

Trustee Cope moved to have a Roll Call, seconded by Trustee Patel.

Upon Roll Call the Results were

AYES: Trustees Patel, Cope, Klatzco

NAYS: Trustees Elster, Sprogis-Marohn, Leftakes

Due to the 3 – 3 tie vote, President Turry voted to break the tie.

President Turry voted AYE. The new appointment is approved.

4. Proclamation Regarding St. Francis Hospital

Chief Mike Hansen introduced this proclamation. He spoke of the 40th anniversary of Presence St. Francis Emergency Medical Services and introduced the following representatives of St. Francis Hospital here to receive this proclamation: Dr. Roberta Luskin- Hawk, Regional CEO and Lincolnwood native; Dr. Scott French, EMS Director; Adam Greenberg, EMS System Coordinator; Nancy Stermer, Community Outreach Committee Chair.

The Proclamation spoke of the multitude of services provided to Lincolnwood as well as the communities of Evanston, Northfield, Skokie, Wheeling, Wilmette and Winnetka.

President Turry proclaimed Tuesday, July 15, 2014 as Presence Saint Francis Hospital Emergency Medical Services Day in the Village of Lincolnwood.

The Board concurred

5. Proclamation Regarding Seymour Homer, Sculptor

President Turry read the proclamation providing a history of Mr. Homer's life, his retirement from the family business in 1987 and his commission in 2000 by the Village of Lincolnwood to create the sculpture which was named "The New Age" and which stands in front of Village Hall. Mr. Homer and his wife Rona are leaving the village and moving to Scottsdale Arizona, but his wonderful piece of art will remain in place, possibly for the rest of this millennium.

Therefore, President Turry proclaims Wednesday, July 16, 2014 as Seymour and Rona Homer Day in the Village of Lincolnwood.

The Board concurred.

6. Madeleine Grant Volunteer of the Year Award

This award was presented to Georjean Hlepas Nickell by Paul Eisterhold. In attendance were Paul Grant and his and Madeleine's two daughters Maura and Beth. Mr. Eisterhold spoke of the 23 years of volunteering that Mrs. Nickell has done within our village and in other areas Mrs. Nickell spoke offering her thanks.

A brief reception was held in honor of the Madeleine Grant Volunteer of the Year recipient, Georjean Nickell and sculptor, Seymour Homer.

At 8:30 the Village Board meeting continued.

Consent Agenda

President Turry announced the following items on the Consent Agenda.

1. **Approval of a Resolution Regarding the Release of Certain Written Minutes and the Destruction of Verbatim Records of Certain Closed Meetings of the Village Board**
2. **Approval of a Resolution Appointing a Director and Alternate Director to the Solid Waste Agency of Northern Cook County (SWANCC)**
3. **Approval of a Resolution Authorizing the Village Manager to Execute a Law Enforcement Mutual Aid Agreement for the Illinois Law Enforcement Alarm System (ILEAS)**
4. **Approval of an Ordinance Amending Section 14-7-2 of the Municipal Code of Lincolnwood Regarding the Village's Life Safety Code**
5. **Approval of a Resolution to Purchase a 2015 Chevrolet Tahoe through the Northwest Municipal Conference Suburban Purchasing Cooperative Program Contract #147 from Currie Motors Fleet of Frankfort, IL in the amount of \$32,801**
6. **Approval of an Amendment to Chapter 12, Article 2 of the Village Code Pertaining to Connections with Village Owned Water Mains for Potable Water Use**
7. **Approval of a Resolution Approving an Intergovernmental Agreement with the City of Chicago and the Village of Skokie Regarding Improvements to the Intersection of Pratt and Central Avenues**
8. **Approval of a Recommendation by the Plan Commission Concerning an Ordinance Amending Section 2.02 and Table 3.10.01 of the Zoning Ordinance Relative to Balconies, Patios, Terraces, and Porches**

Trustee Klatzco requested that Item #9 be removed and placed as Regular Business Item #18

10. **Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Granting Sprint Wireless a Special Use Permit for the Construction of Personal Wireless Service Facilities on the Rooftop of an Existing Office Building at 7366 North Lincoln Avenue**

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

Upon a Roll Call vote the results were:

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

NAYS: None

The motion passed

Regular Business

11. Consideration of an Economic Incentive Request from the North Capital Group for the Proposed Shoppes at Lincoln Pointe Development

Attorney Jerry Callaghan addressed the Board.

Attorney Elrod stated that no funds or notes would be issued until the development is complete. There will be no upfront costs to the Village. There will be one single development agreement package after the process is completed.

The TIF district process has been completed, the business district is not yet in place. Reiterated no residential development is part of this plan.

Mr. Wiberg additionally clarified definitions:

- The Village will share only new revenue.
- The Village will not share home rule sales tax.
- The net reserve agreement in the first year - \$1.5 million
- Meetings continue regarding storm-water improvements.

Trustee Patel noted that the Village will not be listed as a borrower. He requested that Mr. Merkel clarify this. Mr. Merkel stated that there is always a possibility that the Village could be held responsible for questionable judgment.

Discussion and questions ensued.

Attorney Elrod provided a definition of "Business District".

The following information was included in the PowerPoint presentation:

- Estimated Revenue to the Village from the Shoppes at Lincoln Pointe. Revenues from the following: 100% of Municipal Retailers Occupation, 100% of Home Rule Sales Tax, Hotel Taxes, Municipal Food and Beverage Taxes, Utility Taxes
- The Development Team was identified.
- Plans and Renderings were displayed

Public Benefits from the Project

Achieves the Goals of the Lincoln Avenue Corridor Plan

- A downtown center for the Village
- The highest development density in the Lincoln Avenue Corridor
- Parking decks and underground parking
- A mixed use development of retail, hotel, family entertainment and office
- Architectural features consistent with the Village's design guidelines
- Community gathering spaces with sculptures, fountains and plazas
- Enhancement of public rights-of-way
- Parkway restoration and landscaping, including pedestrian lighting and seasonal banners on new light poles
- Improvement of pedestrian crosswalks and bicycle access
- Pedestrian and bicycle-friendly features within the development
- Reduction in number of curb cuts

- A catalyst for additional development in the corridor

Off-site road improvements

- \$4 million of intersection and roadways improvements in the surrounding area
- Traffic conditions will be improved over existing conditions, even after the project is completed
- The need for the improvements exists today

Rent-free office and activity space for the Village's Parks and Recreation Programs

Additional Tax Revenue for the Village

- \$25 million to the Village over the 20 year incentive period (\$1.4 million per year on average)
- This is over and above the taxes paid to fund the incentive
- Equal to about 4% of the Village's current revenue budget

Substantial Increase in Assessed Value

- The assessed value of the property will increase to almost \$40million over the incentive period
- This ten-fold increase will provide a substantial benefit to all taxing districts after the incentive is paid

The Project will Create Jobs

- 750-850 temporary construction jobs
- 400-500 full-time and part-time jobs

Incentive Request

Market Requirements

- 13%-15% unleveraged return
- 20-25% leveraged return on equity

Return on this Project without Incentive

- 7% unleveraged return
- 9% leveraged return on equity
- Project not feasible due to this financial gap
- Cannot attract debt and equity financing at these rates

Gap Analysis Performed

- To determine the amount of incentive required to achieve financial feasibility
- Components of Gap Analysis
 - Project Revenues
 - Project Costs
 - Assumed capitalization rate
 - Market rate of return

Incentive Required to Attract Debt and Equity Financing

- Amount required = \$33.5 million
- This will achieve
 - 12% unleveraged return
 - 20% leveraged return on equity

- These returns are at the very low end of market requirements

Funding Sources to Pay the Incentive (and Fill the Gap)

- 100% of the TIF property tax increment (\$21million NPV)
- 50% of sales taxes generated on the property – both from state share and home rule (\$6.5 million NPV)
- Business District Taxes assessed against the project site and no other property
 - 1% additional sales tax
 - 1% additional hotel tax

No risk to the Village

- The Village will not issue bonds
- The Village will issue only non-recourse notes
- If revenue is not sufficient to pay the incentive, the developer bears that risk
- No recourse against or risk to the Village

Results of the Village's Investment

- Fulfillment of the Lincoln Avenue Corridor Plan
- Alleviation of Existing Traffic Congestion
- \$29 million of Additional Tax Revenue for the Village
- Ten-fold increase in Assessed Value
- Creation of Construction and Permanent Jobs
- Redevelopment of a Vacant Derelict Site
- \$125 million in New Investment
- Catalyst for Additional Development
- All at No Risk to the Village

Structure of Proposed Incentive

Issuance by the Village to the Developer of three notes after construction completed and substantial lease-up

- Senior tax-exempt note of \$17.6 million, payable from incremental property taxes and state and home rule sales taxes
- Subordinate taxable note of \$8.8 million payable from incremental property taxes and state and home rule sales taxes
- Subordinate taxable note of \$7 million payable from Business District taxes

Extraordinary Project costs

Attributable to the Lincoln Avenue Corridor Plan and Design Guidelines

The Plan recognizes that the recommended high density will require underground parking and parking decks

- Underground parking = \$12,727,541 (8 – 10 times more than surface parking)
- Parking structure = \$13,433,000 (4 -5 times more than surface parking)

Design requirements add to the cost

- Four- sided buildings, design features and building materials
- Parkway sidewalks, lighting and landscaping
- Gathering spaces with fountains, sculptures, plazas and outdoor seating
- Extensive landscaping throughout

Improvements of off-site roadways

- More than \$4million
- Need for the improvements exists today and is not caused by the development

Additional discussion ensued.

Trustee Patel moved to approve a motion directing the Village Attorney to draft a Redevelopment Agreement that incorporates the business points which would provide for an economic incentive for NCG up to a maximum of up to \$28 million NPV (final total amount to be between \$26 and \$28 million after final calculations are agreed upon) consisting of the Village rebating to NCG the following: (A) 100% of the property tax increment (TIF) generated by the project; and (B) 100% of the revenue generated from a new 1% sales tax and new 1% hotel tax generated from the creation of a Business District encompassing the project area for the proposed Shoppes at Lincoln Pointe development with the understanding that the Redevelopment Agreement will be considered for the final action by the Village Board only when the final PUD plan is presented to the Village Board for final action. The motion was seconded by Trustee Leftakes.

Motion was including all points presented and attorney's recommendation. Additional questions were presented and responded to by the attorney.

Upon a Roll Call vote the Results were:

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

NAYS: None

The motion passed.

12. Consideration of a Resolution Approving a First Amendment to the Restated Pre-Development Agreement with North Capital Group

This item was presented by Attorney Elrod.

In August 2013, an amended agreement was entered.

Demolition is now complete – Village agreed to waive the requirement to backfill and landscape the property now known as The Shoppes at Lincoln Pointe.

The recommended extension on the agreement was six months.

All legal fees incurred by the Village will be consolidated and North Capitol will reimburse the Village.

Trustee Sprogis-Marohn moved to approve the Resolution. The motion was seconded by Trustee Patel.

Upon a Roll Call vote the Results were:

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

NAYS: None

The motion passed.

13. Consideration of a Recommendation by the Zoning Board of Appeals to Approve Variations from Section 4.11 to Exceed the Maximum Three-Foot Finished First Floor Height and from Section 6.09(2) to Permit More than 50% of a Second Floor Elevation to be Finished with Non-Masonry Material and to Allow a First and Second Floor Addition to the Existing Home at 6824 North Tripp Avenue

This item was presented by Mr. Cook who provided background and information with use of PowerPoint.

Petitioner Mr. Rivak Albazi, of above stated address, was in attendance.

Some discussion ensued with additional clarification provided by Mr. Cook.

Consideration of Zoning Board of Appeals Recommendation
Finished First Floor Height and Design Variations

Photographs and renderings of proposed variations were presented.

ZBA Deliberations

Public Hearing

- Held on June 18, 2014
- Testimony Received from Petitioner
- Mr. Albazi, Property Owner

No Public Testimony Received

ZBA Discussed Each Requested Variation

- Finished First Floor Height
- Residential Design Standards – more than 50% of a second floor elevation finished with non-masonry material
- Finished First Floor Height Variation – Since 2009 Village has considered and approved seven requests, all to permit additions to match existing condition – Petitioner indicated request is to match existing condition
- Residential Design Standards – Since 2008 Village has considered one request at 6833 North Tripp Avenue – Requested siding on second floor addition to match existing dormers – Triggered Review of Residential Design Standards – Upon conclusion of policy review, requested Variation was not approved
- Petitioner indicated siding is necessary – wood frame construction to match existing construction type – requiring masonry would be structurally burdensome

ZBA Recommendations

1. By 7 – 0 vote, Recommends Approval of Finished First Floor Height Variation
2. By 4- 3 vote, Recommends Approval of Residential Design Standard Variation
 - Dissenting votes cast due to no demonstrated hardship
 - Commissioners indicated addition could be constructed in manner to support required masonry materials

Trustee Sprogis-Marohn moved to concur with the recommendation of the Zoning Board of Appeals to approve a request for variations from Section 4.11 to Exceed the Maximum Three Foot Finished First Floor Height and from Section 6.08(2) to Permit More than 50% of a A Second Floor Elevation to be Finished with Non Masonry Material all to Allow a First and Second Floor addition to the Existing Home at 6824 North Tripp Avenue and to direct the Village

attorney to prepare an Ordinance for adoption consistent with this concurrence. The motion was seconded by Trustee Patel.

Upon a Roll Call vote the Results were:

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

NAYS: None

The motion passed.

14. Consideration of a Recommendation by the Zoning Board of Appeals to Approve Variations from Section 4.11 to Exceed the Maximum Three-Foot Finished First Floor Height and from Section 6.09(2) to Permit More than 50% of a Second Floor Elevation to be Finished with Non-Masonry Material and to Allow a First and Second Floor Addition to the Existing Home at 6605 North Kostner Avenue

This item was presented by Mr. Cook using Power Point.

Petitioner Mr. Knobel was present and addressed the Board.

Some discussion ensued.

Renderings of the proposed changes were exhibited.

ZBA Deliberations

Public Hearing

- Held June 18, 2014

Testimony received from Petitioner

- Mr. Knobel, property owner

No Public Testimony Received

ZBA Discussed Each Requested Variation

- Finished First Floor Height
- Residential Design Standards – more than 50% of a second floor elevation finished with non-masonry material

Finished First Floor Height Variation

- Since 2008 Village has considered and approved seven requests – All to permit additions to match existing condition – Petitioner indicated request is to match existing condition
- Residential Design Standards – Since 2008 Village has considered one request at 6833 North Tripp Avenue – Requested siding on second floor addition to match existing dormers – Triggered Review of Residential Design Standards – Upon conclusion of policy review, requested Variation was not approved
- Petitioner indicated siding is necessary – wood frame construction to match existing construction type – requiring masonry would be structurally burdensome

ZBA Recommendations

1. By 7 – 0 vote, recommends Approval of Finished First Floor Height Variation
2. By 5 – 2 vote, Recommends Approval of Finished First Floor Height Variation
 - Dissenting votes cast due to no demonstrated hardship
 - Commissioners indicated addition could be constructed in manner to support required masonry materials

Trustee Sprogis-Marohn moved to direct the Attorney to prepare a document approving the Zoning Board's recommendation. The motion was seconded by Trustee Patel

Upon Roll Call vote the Results were:

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

NAYS: None

The motion passed.

15. Consideration of a Recommendation by the Zoning Board of Appeals to Deny a Fence Location Variation for a Proposed Fence Located at 6822 North Kenneth Avenue

This item was presented by Mr. Cook who provided background of the request for variation. An exhibit identified the residential property and the proposed fence location. Mr. Cook addressed the limits of permitted fence location on corner property.

The applicant was not in attendance, but it was noted that during the Zoning Board meeting the applicant had requested that this be addressed at the Village Board meeting.

Trustee Sprogis-Marohn moved to request that the Village Attorney prepare a document of denial. The motion was seconded by Trustee Leftakes.

Upon Roll Call vote the Results were:

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

NAYS: None

The motion passed.

16. Consideration of an Ordinance Establishing a Moratorium on Residential Development along Lincoln Avenue in the B-1 Zoning District

This item was presented by Mr. Cook.

At the Regular Village Board meeting of June 17, 2014, the Village Board directed the Attorney to prepare an Ordinance establishing the above identified moratorium.

This Ordinance is being presented for consideration.

Discussion ensued.

Trustee Patel stated that he believed a revision on this Ordinance is necessary.

Trustee Cope moved to approve the Ordinance. The motion was seconded by Trustee Leftakes.

Upon Roll Call vote the Results were:

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

NAYS: Trustee Patel

The motion passed.

17. Public Hearing to Consider the Following Items Pertaining to Fiscal Year 2014-2015: A) Approval of the Annual Appropriation Ordinance for Fiscal Year 2014-2015 B) Approval of the Certificate of Estimated Revenues by Source for Fiscal Year 2014-2015

President Turry called the Public Hearing of the Village Board in accordance with Section 8-2-6 of the Illinois Municipal Code for consideration of the Village's annual appropriations Ordinance. President Turry asked Clerk Herman to call the Roll.

Public Hearing Roll Call

On roll call by Village Clerk Beryl Herman the following were:

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

ABSENT: None

A quorum was present.

This item was presented by Mr. Merkel who reported that in municipalities with less than 500,000 inhabitants, the corporate authorities are required to adopt an ordinance within the first quarter of each fiscal year to be termed the Annual Appropriation Ordinance. The Annual Appropriation Ordinance by State Statute establishes the legal limit of the Village's expenditures during the Fiscal Year May 1, 2014 to April 30, 2015. The Certification of the Estimated Revenues by Source must be filed within 30 days after the adoption of the Appropriation Ordinance with the Office of the Cook County Clerk, Cook County, Illinois. All documents were provided to the Village Board in advance. The total appropriation is \$46,774,397.

President Turry opened the floor for Public Comment.

There was no comment.

Trustee Cope moved to close the Public Hearing. Trustee Sprogis-Marohn seconded the motion. The motion passed by voice vote.

Trustee Sprogis-Marohn moved to approve Items A and B as an Omnibus motion to approve the Ordinance. The motion was seconded by Trustee Leftakes.

Upon Roll Call vote the Results were:

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

NAYS: None

The motion passed. The Ordinance and Certificate were approved.

18. This item was formerly Item 9 on the Consent Agenda. Trustee Klatzco requested removal from Consent for the purpose of discussion.

Approval of a Recommendation by the Plan Commission to Adopt an Ordinance Granting a Special Use Permit for a Personal Service Establishment Greater than 2,000-Square Feet in Area and a Variation from Off-Street Parking Requirement at 6700 North Lincoln Avenue
Trustee Klatzco questioned the parking situation for this proposed business. Mike Klodney, property owner, clarified the numbers and locations of parking spaces. Improvements have been made.

Additional clarification was provided by Mr. Cook.

Trustee Sprogis-Marohn moved to concur with the Plan Commission Recommendation, seconded by Trustee Elster.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed.

Manager's Report

Mr. Wiberg spoke regarding the continuing work being done on Crawford Avenue.

Water main work will be done in late November or early December, at which time the east side of Crawford should be complete.

The Board is on the summer schedule, the next regular Village Board meeting will take place on August 19.

Board and Commissions Report

None

Village Clerk's Report

Clarification: For the election of November 4, 2014, voters must be 18 years of age, before the date of the election. Voters must be registered 30 days before the election, and may register if they will attain the age of 18 by Election Day.

There will be changes in a number of polling places for the next (November) election. Residents are urged to watch for a mailing from Cook County which will let them know where they are to vote.

Trustees Report

None

Public Forum

None

Adjournment to Executive Session

At 10:05 P.M. Trustee Leftakes moved to adjourn the regular meeting to Executive Session for the purpose of discussion of personnel. The motion was seconded by Trustee Cope.

Upon Roll Call the Results were:

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

NAYS: None

Reconvention

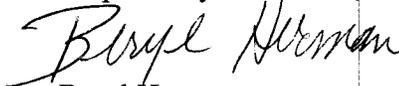
At 10:31PM President Turry reconvened the Regular Village Board Meeting.

Adjournment

At 10:31 Trustee Leftakes moved to adjourn, seconded by Trustee Elster.

The motion passed with a Voice Vote.

Respectfully Submitted,



Beryl Herman
Village Clerk