

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
JULY 21, 2015**

Call to Order

President Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:30 P.M., Tuesday, July 21, 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 Bass, Cope, Elster, Klatzco, Spino

ABSENT: Trustee Patel

A quorum was present. Also present: Timothy Wiberg, Village Manager; Douglas Petroschius, Assistant Village Manager; Charles Meyer, Assistant to the Village Manager; Steven Elrod, Village Attorney; Amanda Williams, Management Analyst; Charles Greenstein, Village Treasurer; Robert Merkel, Finance Director; Aaron Cook, Community Development Manager.

Approval of Minutes

The minutes of the June 16, 2015 Village Board Meeting were distribute and examined in advance.

Trustee Spino moved to approve the minutes, seconded by Trustee Bass.

The motion passed with a Voice Vote.

Warrant Approval

Trustee Klatzco moved to approve Warrants in the amount of \$1,520,180.64.

Trustee Cope seconded the motion.

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

AYES: Trustees Klatzco, Cope, Spino, Elster, Bass

NAYS: None

The motion passed

Village President's Report

1. Appointment to the Economic Development Commission

President Turry announced the appointment of Patrick Kaniff to the Economic Development Commission and Renan Sugarman to the Board of Fire and Police Commissioners.

President Turry noted that both of these gentlemen have sat in on meetings of their prospective commissions in order to familiarize themselves with the commissions' procedures.

A motion to approve both appointments was made by Trustee Klatzco, seconded by Trustee Cope. The motion passed with a Voice Vote.

2. Reappointment of Don Sampen to the Emergency Telephone System Board (9-1-1)

A motion to approve this appointment was made by Trustee Elster, seconded by Trustee Spino. The motion passed with a Voice Vote.

3. Swearing in of Police Officers Andrew Bialek and Claire Plante

Police Chief LaMantia provided background information on these officers.

Clerk Herman swore them in individually.

Congratulations to their families and friends by President Turry.

The new officers received congratulations from the Board and Staff.

President Turry announced future meetings of Boards and Commissions.

The dedication of fitness equipment in Proesel Park will take place on August 8th.

President Turry also announced that Lincolnwood Fest will take place in Proesel Park running from Thursday, July 23 to Sunday July 26.

Consent Agenda

President Turry introduced the Consent Agenda which was presented by PowerPoint as follows:

1. Approval of a Resolution Authorizing an Agreement for Software Upgrades with Springbrook Software in the Amount of \$34,642.81

Trustee Cope requested the removal of Item 2, to be placed as Item 15 under Regular Business for discussion.
2. Approval of an Ordinance Amending Sections 12-3-25 and 14-4-3 of the Municipal Code Regarding Water Conservation
3. Approval of a Recommendation by the Parks and Recreation Board to Award a Bid to Tru-Link Fence of Melrose Park, Illinois for Bid Alternate Three in the Amount of \$4,455 for the Replacement of Windscreens and Bid Alternate Four for the Removal and Replacement of Fencing, Utilizing Black Vinyl Clad Chain Link Fence, in the Amount of \$47,568 for the Proesel Park Tennis Courts
4. Approval of a Resolution Authorizing the Village Manager to Execute a Contract to Purchase Three 2016 Ford Utility Police Interceptor AWD Vehicles from Currie Motors Fleet for \$81,617.00
5. 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

6. Approval of a Resolution to Approve the Purchase of a 2016 Vactor 2110 Combination Sewer Cleaning Vehicle through the Northwest Municipal Conference Suburban Purchasing Cooperative Program Contract #128 from Standard Equipment Company of Chicago, Illinois
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 Resolution Approving an Intergovernmental Agreement with the Metropolitan Water Reclamation District of Greater Chicago for Participation in the Rain Barrel Program
9. Approval of a Referral to the Plan Commission to Convene a Public Hearing for a Proposed Zoning Code Text Amendment Relative to Defining and Regulating "Short-Term Rental Property"

Trustee Klatzco moved to approve the Consent Agenda as amended, seconded by Trustee Spino

Upon Roll Call the Results were:

AYES: Trustees Klatzco, Spino, Elster, Bass, Cope

NAYS: None

The motion passed

Regular Business

10. **Consideration of an Ordinance Waiving the Bid Process and Awarding a Proposal from Christopher B. Burke Engineering, Ltd. for Designing Stormwater Street Storage Improvements in a Pilot Area of the Village in the Not-to-Exceed Amount of \$45,000**

This item was presented by Mrs. Engelmann.

Mrs. Engelmann provided background information for this item. Most of the background information had already been presented to the Board at numerous earlier meetings.

Questions and discussion ensued.

Trustee Cope stated that he wished to go on the record regarding his belief that this project will provide no benefit to the Village.

President Turry reminded the Board that the project itself was not up for question on this item; only the awarding of the services to Christopher Burke Engineering.

Attorney Elrod stated that because this involves a waiver of bids, a super majority is needed (5 votes).

Additional discussion ensued with clarification by Mr. Wiberg.

Trustee Klatzco moved to approve the Ordinance, seconded by Trustee Spino.

Upon Roll call the results were
AYES: President Turry, Trustees Klatzco, Spino, Elster, Bass
NAYS: Trustee Cope

The motion passed

11. Consideration of a Recommendation by the Economic Development Commission Concerning a Cook County Property Tax Abatement and Referral to the Plan Commission of a Proposed Planned Unit Development Amendment for Property Located at 6850 McCormick Boulevard (Former Dominick's Site)

This item was presented by Mr. Wiberg using PowerPoint.

A site view of the property in question was exhibited.

It was noted that this property is in a TIF District.

Property Information

*6850 North McCormick Boulevard consists of the following:

- Building: Approximately 62,000 square feet
 - Site: Approximately 280,159 square feet
- *Property has been 100% vacant and unused since December 2013
*Previous tenant was a Dominick's grocery market
*Property has fallen into disrepair
*Property is located in a Village of Lincolnwood Tax Increment Financing (TIF) District

Proposed Development

- *Applicant plans to rehabilitate and retrofit the site, converting the building on the property from a local supermarket to a multi-unit high-end retail establishment
*This will result in the following improvements:
- Rehabilitation and retrofitting of the building's interior
 - Install building wall-dividers in the building
 - Update the building's electrical system
 - Install new HVAC systems
 - Install solar panels on the building's roof to provide renewable energy to the property
- *Applicant also plans to construct an up-to 7,000 square foot building on the out lot of the subject property

Class 7B Property Tax Designation Overview

- *Class 7B is intended for commercial buildings
- Class 6B is for industrial buildings
 - This is the Village's first Class 7B designation request
- *Cook County processes/approves these requests, but the host municipality must consent to the request, and determine the property is blighted
*If approved, the property's assessment for tax purposes is reduced to 10% of fair market value for the first 10-year abatement period
- Reduced 15% for the 11th year
 - Reduced 20% for the 12th year
 - Thereafter property is assessed per the normal Cook County rate of 25%

Specific Request

- *R&R Global Partners, LLC has filed the Class 7B designation request
- *Their estimated development costs: \$14.5 million
 - Site Purchase - \$7.8 million
 - Hard costs - \$5.4 million
 - Soft costs - \$840,000
 - Loan interest - \$450,000
- *Estimated project completion – End of 2015/early 2016
- *Potential tenants: Planet Fitness, Zips Dry Cleaners, Binny’s Beverage Depot, Pet Smart

R&R’s Rationale for the Request

- *Property requires substantial investment to make it suitable to lease as a multi-unit retail development
- *With this investment, the Applicant expects the taxes without a 7B Tax Incentive to be approximately \$1,029,847
- *This breaks down to approximately \$14.92 in taxes per building square foot
- *The Applicant does not believe it can attract tenants with such high property taxes

A chart providing Estimated Tax Revenue Generated from the Proposed Development was exhibited.

EDC’s Review of the Request

- *The Village’s consultant, Kane McKenna and Assoc. prepared a report:
 - In general supported the arguments for the request
 - Agreed that the required rents would exceed the “typical” rents for a project of this scope
 - Affirmed the blight requirement is met
- *At its June 24 meeting the EDC reviewed and approved the request
 - Condition – At least 50% of the building’s square feet be utilized for retail uses (if approved by the Village Board this condition would need to be placed in the PUD amendment)

Discussion ensued.

Trustee Bass moved to Concur with The EDC to consent to 7B Tax Abatement and to refer to the Plan Commission for Amendment of PUD, seconded by Trustee Elster.

Upon Roll Call the Results Were:

Ayes: Trustees Bass, Elster, Spino, Cope, Klatzco

NAYS: None

The motion passed.

12. Consideration of a Recommendation by the Plan Commission Concerning Case #PC-02-15 Regarding a Zoning Ordinance Text Amendment to Modify the Definition of “Semiprivate Fence”

This item was presented by Mr. Cook using PowerPoint.

Hearing Process

*January 6, 2015

- Village Board refers matter to Plan Commission as part of Variation request at 6529 Central Park Avenue

*February 4, 2015

- Plan Commission begins deliberation

*April 1, 2015

- Plan Commission continues deliberation

*June 3, 2015

- Plan Commission concludes deliberation, makes recommendation to Village Board

Plan Commission Deliberation

*Early in deliberations, Commission specifically identified louvered fences as a potentially desirable fence design (fence design proposed as part of 6529 North Central Park Avenue)

- Louvered fences considered “Solid Fence” due to horizontal boards
- “Solid Fence” highly regulated and limited to their location
- Concurred with ZBA that “Semiprivate fence” definition is unclear

*Commission discussed maintaining current fence definitions and regulations; “Open fence”, “Semiprivate fence” and “Solid fence”

*Reviewed images of various fence designs and research of nearby communities

*Direction given to modify definition of “Semiprivate” to allow louvered fences

- Louvered fences determined to have open characteristics while affording some privacy similar to other permitted “Semiprivate fence, shadow box fences

*Commission generally concurred with draft text prepared by Staff and made minor modifications

*Concluded board-on-board fences should not be permitted as a “Semiprivate fence”

*Did not desire any additional changes to fence regulations

Images of Louvered Fences were presented.

*Currently not permitted as a “Semiprivate fence” and therefor prohibited in most locations in the Village

*Plan Commission recommends permitting louvered fences as a “Semiprivate fence”

- Commission opined that design does keep with open characteristic of “Semiprivate fence” while also allowing some screening/privacy

Images of Horizontal Shadow-Box Fences were presented

*Currently not permitted as a “Semiprivate fence” and therefor prohibited in most locations in the Village

*Plan Commission recommendation would not permit horizontal shadow-box fences as a “Semiprivate fence”

- Commission opined that design is not keeping with open characteristic of “Semiprivate fence”

Commission Recommendation

By 4 – 1 Vote Commission Recommends Zoning Code Text Amendment to Modify Definition of Semiprivate Fence:

“Fence, Semiprivate or Semiprivate Fence: A fence which is not a solid fence nor an open fence.

Examples of this fence type are shadowbox and louvered fences. Louvered fences are to be designed

as follows: 1) the gap between boards must be a minimum of 50% of the board width (e.g. a six inch board width must have a minimum three inch gap between the boards); 2) the angle of the boards cannot exceed a 50 degree angle from horizontal or vertical, and 3) the fence shall allow the ability to see from one side of the fence through to the other side.

Commissioner Fishman cast the dissenting vote based on opposition to the complexity of the Village's fence regulations. Commissioner Fishman indicated that he could not support any action that did not simplify the fence regulations.

Plan Commissioner Irving Fishman addressed the Board reiterating his position with regard to the item. He stated that other communities have no definition for semiprivate fences.

Background

- *6529 North Central Park Avenue – Variation requested by property owner
- *Zoning Board of Appeals recommended Denial by 5 – 1 Vote
- *During Deliberation of ZBA Recommendation Village Board:
 - Continued consideration of Variation Request at 6529 North Central Park
 - Referred Zoning Code Text Amendment to Plan Commission to conduct Public Hearing to review fence definitions and bulk regulations as needed
 - Semi-private fence definition lacked clarity

Legislative History

- *Semi-private fence definition first appeared in Village Code 2003 (Ordinance 2003-185 Adopted May 2003)
 - 30 public hearings at which Plan Commission considered fence regulations
 - Of available meeting minutes, no reference to discussions regarding fence definitions
 - Discussion focused on height and security issues

Research of Neighboring Communities

- *Staff reviewed the Zoning Code requirements of 10 neighboring communities
 - Des Plaines, Evanston, Glenview, Highland Park, Morton Grove, Niles, Park Ridge, Skokie, Wilmette, Winnetka
- *Found no other community defines “semiprivate fence”

Discussion ensued

Trustee Cope moved to direct the attorney to prepare the appropriate Ordinance, seconded by Trustee Bass.
The motion passed with a Voice Vote.

- 13. Consideration of a Resolution Awarding the Fire Engine Purchase to the Lowest Responsible Bidder US Tanker Co. of Delavan, Wisconsin in the Amount of \$535,227.00 and Authorizing the Village Manager to Execute the Contract with US Tanker Co.**

This item was presented by President Turry using PowerPoint.

Engine Purchase Process

- *Budget preparations: January 2014 and 2015
 - Board allocated \$540,000.00
 - FY 2015/16: \$255,000 (Chassis prepayment)
 - FY 2016/2017: \$285,000.00 (Balance on delivery)
- *Developed Engine Specifications
- *Advertisement and bid opening: May and June 2015
 - Seven vendors, nine bids
 - * Analysis of the bids and recommendation

Bid price and adjusted costs from two bidders were exhibited.

The only bid which took No Exceptions to the Village's Specifications was the bid from UST. There was no discussion.

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

The motion passed with a Voice Vote.

14. Public Hearing to Consider the Following Items Pertaining to Fiscal Year 2015-2016: A) Approval of the Annual Appropriation Ordinance for Fiscal Year 2015-2016 B) Approval of the Certificate of Estimated Revenues by Source for Fiscal Year 2015-2016

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.

This item was presented by Mr. Merkel

President Turry opened the floor for Public Comment. There was no Public Comment.

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

Trustee Klatzco moved to approve Item A, seconded by Trustee Cope.

Upon Roll Call the the Results were:

AYES: Trustees Klatzco, Cope, Spino, Bass, Elster

NAYS: None

Trustee Spino moved to approve Item B, seconded by Trustee Klatzco.

Upon Roll Call vote the Results were:

AYES: Trustees Spino, Klatzco, Elster, Bass, Cope

NAYS: None

The motions passed. The Ordinance and Certificate were both approved.

The following item was removed from the Consent Agenda at the request of Trustee Cope.

15. Approval of an Ordinance Amending Sections 12-3-25 and 14-4-3 of the Municipal Code Regarding Water Conservation.

Trustee Cope stated that he wished that the public be aware of the content of this item.

Mr. Cook clarified: The Illinois Department of Natural Resources is now requiring that "Star Rated Appliances" be used by Municipalities which use Lake Michigan water; and also that the municipalities place limits on watering.

Trustee Spiro moved to approve this item, seconded by Trustee Klatzco.

Upon Roll Call the Results were:

AYES: Trustees Spiro, Klatzco, Bass

NAYS: Trustees Cope, Elster

The motion passed

Manager's Report

Mr. Wiberg had two items:

- The summer meeting schedule continues – The next Village Board meeting will be on Tuesday August 18 at 7:30 PM
- Crawford Avenue construction is nearing the end – paving will be completed this month

Board and Commissions Report

None

Village Clerk's Report

None

Trustees Reports

None

Public Forum

None

Adjournment to Executive Session

At 9:55 P.M. Trustee Klatzco moved to adjourn the Regular Village Board meeting to Executive Session for the purpose of discussion of personnel, land sale, litigation, pending litigation and land acquisition, seconded by Trustee Spino.

Upon Roll Call the results were:

AYES: Trustees Bass, Cope, Elster, Spino, Klatzco

NAYS: None

The motion passed

Reconvention

At 10:51 p.m. President Turry reconvened the Regular Village Board meeting.

Adjournment

At 10:52p.m. Trustee Klatzco moved to adjourn the Regular Board meeting, seconded by Trustee Spino.

The motion passed with a Voice Vote.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Beryl Herman".

Beryl Herman
Village Clerk