

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
REGULAR MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
DECEMBER 15, 2015**

**Call to Order**

President Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:40 P.M., Tuesday, December 15, 2015, 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 Douglas Petroschius the following were:

PRESENT: President Turry, Trustees Bass, Cope, Patel, Elster, Spino, Klatzco

ABSENT: None.

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; Timothy Clarke, Community Development Director; Amanda Pazdan, Management Analyst; Robert LaMantia, Police Chief; Charles Greenstein, Village Treasurer; Michael Hansen, Fire Chief; Aaron Cook, Community Development Manager; Donald Gelfund, Chair, Traffic Commission; Robert Merkel, Finance Director; Kathryn Gamroth, Superintendent of Recreation.

**Approval of Minutes**

The minutes of the December 1, 2015 Village Board Meeting were distributed and examined in advance. Trustee Patel moved to approve the minutes. The motion was seconded by Trustee Cope. The motion passed by voice vote, 6-0.

**Warrant Approval**

Trustee Klatzco moved to approve warrants in the amount of \$497,830.72. The motion was seconded by Trustee Spino.

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

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

NAYS: None

The motion passed. The warrants were approved.

**Village President's Report**

President Turry announced that ComEd Smart Meters will be installed within the next 45 days in the Village. President Turry reminded to check all ComEd employees' identification before they enter your home. Trustee Cope commented that the Village has no choice in this program but expressed concerns about the loss of jobs, increases in capitalization costs, and possible harm from microwaves. President Turry indicated that the benefit of the Smart Meter is that residents will be able to take control of their own electricity bill. Discussion ensued. Ms. Engelmann indicated that additional information is available on the Village website.

President Turry presented a holiday video consisting of Microsoft employees caroling to Apple employees.

## **Consent Agenda**

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

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 Appropriating Funds for the Congestion Mitigation Air Quality Grant Local Match for the Construction of the Commonwealth Edison Multi-Use Trail Project
3. Approval of an Amendment to Section 9 of the Village Code Regulating the Sale of Animals

Trustee Klatzco moved to approve the Consent Agenda as presented. The motion was seconded by Trustee Bass.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed. The Consent Agenda was approved.

## **Regular Business**

4. Consideration of a Recommendation by the Economic Development Commission to Approve a Resolution Granting Consent to a Class 7c Classification for Property Located at 4655 Chase Avenue

Trustee Bass disclosed that he has a business relationship with Aperion but no property interest and he consulted with the Village Attorney and determined that he would be able to be impartial in this matter. This item was presented by Mr. Clarke using PowerPoint. Chase Office LLC, in care of Aperion Care, Inc., a company that owns/leases nursing homes that provide post-hospital rehabilitation and long-term skilled nursing care, is seeking a Class 7c Cook County Property Tax Abatement. This request is for property located at 4655 Chase Avenue. This property is improved with an approximate 22,000-square-foot vacant building and is located at the dead end of Chase Avenue. This property is within the Village's B-3 zoning district and is adjacent to the west of the Commonwealth Edison high tension transmission lines. To pursue this 7c property tax abatement request with Cook County, the County requires the local municipality to consent to the granting of the tax abatement. On November 18, 2015, the Economic Development Commission (EDC) reviewed this request to consent to the 7c tax abatement as well as reviewed County documents pertaining to the abatement. At this meeting, the Commission questioned the applicant concerning the "but for" test for the abatement, given that building permits were issued earlier this year to renovate the building. The applicant asserted a need to expedite the project as well as the need for the tax abatement to proceed to complete renovation and to occupy the property. Further, the long-term vacancy of the property and its condition was noted including that Aperion desired to be good neighbors and has reached out to adjoining residents who have expressed appreciation for their efforts to improve the property. By an 8-1 vote (Berman opposing), the Commission is recommending Village Board approval consenting to a Class 7c Cook County Tax Abatement, for the property at 4655 Chase Avenue, subject to no renewal of the tax abatement. Commissioner Berman noted support for the consent to the tax abatement but indicated he did not want to bind the petitioner from seeking a future extension of the tax abatement. Over the 5-year abatement period, the applicant estimates that the property tax savings from receiving the requested property tax abatement would be a total of \$159,288. Attached is the petitioner's Cook County application for a Class 7c tax abatement as well as the applicant's application for a Village

Economic Incentive and related supporting documents. Discussion ensued regarding the use of the facility and permits that have already been issued. Mr. Clarke indicated that the building would act as a headquarters and only administrative personnel would be located there. The petitioner, David Friedman spoke and confirmed that the offices would be for administrative purposes only. Trustee Cope also inquired about the existing building permits that have been issued. Mr. Clarke indicated that work is still in the early stages of a \$2 million rehabilitation investment and that the petitioner stated at the EDC meeting that if the incentive is not received that the project may not continue. Trustee Patel indicated his support for the incentive.

Trustee Elster moved to approve the Resolution. The motion was seconded by Trustee Cope.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed. The Resolution was approved.

5. Consideration of an Ordinance Amending Chapter 14 of the Municipal Code Regarding the Village's Building Regulations

This item was presented by Mr. Clarke. At previous Committee of the Whole meetings the Village Board discussed staff recommendations to amend the Village's local building code amendments to the adopted model International Building Code. Specifically discussed have been the Village's fire resistance ratings pertaining to wall and structural members and for floor and horizontal assemblies within multi-family buildings. Also discussed have been the Village's material requirements to use concrete or masonry for floor-ceiling assemblies, structural elements, and exterior walls in multifamily buildings. These items were discussed with the Village Board at COTW meetings on November 3, 2015 and December 1, 2015 at which time direction was given to prepare an Ordinance consistent with these recommendations. Trustee Cope stated for the record that the Village is relying on the Village's building code experts to make this decision. He indicated that previously information had been given to him indicating that the construction guidelines in the proposed Village Code will be as good as constructing with masonry. Trustee Cope expressed some uncertainty with the use of wood materials and other materials. He indicated further that these changes will make it less expensive for builders but that he had concerns over safety. Trustee Cope's understanding is that the Village's experts confirm that the proposed Ordinance provides for the construction of buildings that are safe. President Turry reiterated that the Village would never adopt an Ordinance that would make buildings unsafe for residents.

Trustee Elster moved to approve the Ordinance. The motion was seconded by Trustee Klatzco.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed. The Ordinance was approved.

**First Closed Session of the Regular Meeting**

At 8:16 P.M., Trustee Klatzco made a motion to adjourn to Closed Session for the purpose of discussing a purchase or lease of real property. Trustee Elster seconded the motion.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed. The Regular Meeting was adjourned to Closed Session.

### **Reconvene Open Session of the Regular Meeting**

At 8:25 P.M., President Turry reconvened the Regular Meeting.

### **Roll Call**

On roll call by Deputy Village Clerk Douglas Petroschius the following were:

PRESENT: President Turry, Trustees Bass, Cope, Patel, Elster, Spino, Klatzco

ABSENT: None.

A quorum was present. The Open Session of the Regular Meeting continued.

### 6. Consideration of an Ordinance Approving the Purchase and Sales Agreement for the Purchase of the Union Pacific Railroad Property

Trustee Cope made a motion to approve the Ordinance. Trustee Spino seconded the motion. This item was presented by Mr. Wiberg using PowerPoint. For the last several years the Village has been pursuing the purchase of the no longer used Union Pacific (UP) Railroad property running roughly from Devon/Crawford Avenues, northeast to Touhy Avenue, for the purposes of constructing a recreation trail. The Village has received two Congestion Mitigation Air Quality (CMAQ) grants related to this project: one would fund 80% of the purchase cost of the property; the second funds 80% of the path construction costs. The remaining funding would come from the Village's Tax Increment Financing (TIF) District. The Village and the UP have been negotiating a purchase price for the property over the past two years. The agreed upon purchase price is \$4.6 million. If the Purchase Agreement is approved it is anticipated that closing on the property would occur within three months and construction on the trail could begin in the Fall, 2016.

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

Upon Roll Call the Results were:

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

NAYS: None

The motion passed. The Ordinance was approved.

### **Manager's Report**

Mr. Wiberg reminded the public that Village offices will be closed for New Year's Day. Mr. Wiberg inquired with the Village Board about scheduling a meeting date to update the Village Board's Strategic Plan. Discussion ensued. The Village Board directed staff to conduct the strategic planning meeting in March or April after the completion of the Comprehensive Plan.

### **Board and Commissions Report**

None

### **Village Clerk's Report**

None

### **Trustees Reports**

Trustee Klatzco announced that it was the last day to donate to Toys for Tots. Trustee Bass announced the annual Larry Froman Blood Drive on Thursday from 1 PM until 7 PM. President Turry complimented the Parks and Recreation Department and supporting staff on a record-breaking Turkey Trot.

### **Public Forum**

Buzz Alpert of 7320 North Keeler Avenue publicly thanked President Turry regarding his assistance in remedying a charge of indecent exposure that Mr. Alpert received in 2014. Mr. Alpert informed the Village Board he has lost total trust of the Lincolnwood Police Department. He has sought legal counsel regarding this matter. President Turry informed Mr. Alpert that Mr. Wiberg and Police Chief LaMantia did allow an addendum to be added to the Police Report consisting of Mr. Alpert's opinion of the matter. Mr. Alpert expressed continued dissatisfaction of Mr. Wiberg and Chief LaMantia. President Turry thanks Mr. Alpert for his comments.

### **Second Closed Session of the Regular Meeting**

At 8:45 P.M., Trustee Cope made a motion to adjourn to Closed Session for the purposes of discussing personnel and probable litigation. Trustee Elster seconded the motion.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed. The Regular Meeting was adjourned to Closed Session.

### **Reconvene Open Session of the Regular Meeting**

At 9:47 P.M., President Turry reconvened the Regular Meeting.

### **Adjournment**

At 9:47 P.M., Trustee Patel moved to adjourn the Village Board Meeting. The motion was seconded by Trustee Cope.

The motion passed by voice vote, 6-0. The Regular Meeting was adjourned.

Respectfully Submitted,



Douglas Petroschius  
Deputy Village Clerk