

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
FEBRUARY 2, 2016**

Call to Order

President Pro Tem Elster called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:30 P.M., Tuesday, February 2, 2016, 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 Pro Tem Elster, Trustees Patel, Cope, Spino, Klatzco

ABSENT: Trustee Bass

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; Aaron Cook, Acting Community Development Director; Amanda Pazdan, Management Analyst; Robert LaMantia, Police Chief; Charles Greenstein, Village Treasurer.

Approval of Minutes

The minutes of the January 19, 2015 Village Board Meeting were distributed and examined in advance. Trustee Cope moved to approve the minutes as corrected. The motion was seconded by Trustee Spino. The motion passed by voice vote.

Warrant Approval

Trustee Klatzco moved to approve warrants in the amount of \$1,042,312.71. The motion was seconded by Trustee Cope.

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

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

NAYS: None

The motion passed. The warrants were approved.

Village President's Report

1. Proclamation Regarding Dental Health Month

President Pro-Tem Elster read this proclamation and presented it to Sergeant Schenita Stewart of the Lincolnwood Police Department.

2. Retirement of Police Sergeant Mike Cahill

Sergeant Cahill's retirement date was January 4, 2016, after serving Lincolnwood for 24 years.

Chief LaMantia invited Sergeant Cahill to join him at the podium, where the Chief introduced the Cahill family. He then spoke.

Michael Cahill attended the University of Wisconsin, Whitewater and the University of Iowa before he enlisted in the United States Army in 1988. During his military career Mike was a member of the very prestigious 82nd Airborne Golden Knights Parachute Team and made over 1,500 jumps in five years.

Mike began his career in law enforcement on January 3, 1992, when he joined the Lincolnwood Police Department.

He has served as a certified:
Range Officer, Field Training Officer, Bicycle Patrol Officer and Evidence Technician

Is certified by the State of Illinois to instruct:
Responding to an Active Shooter (Patrol Rapid Deployment), Scenario Based Training (Simunitions), Pepper Spray (Oleoresin Capsicum), Baton, Basic and Advanced SWAT Techniques, Room Clearing Techniques, Hostage Rescue, High Risk Warrant Service and Ballistic Shield Techniques.

Mike earned the American Legion Post 1226 2010 Police Officer of the Year Award and shared the award in 2004.

Mike has earned a total of 12 Honorable Mentions, 43 Commendatory Letters, 31 Complimentary Letters and Notable Performance Memorandums. He received four Department Commendations, four Unit Citations and was recognized by the Alliance Against Intoxicated Motorists (AAIM). Mike has received recognition for arrests involving everything from Armed Robbery, Bank Robbery, Residential Burglary, Motor Vehicle Theft, Theft, Attempted Suicide to simple acts of public service.

In 2004, Mike received a Commendation Medal from the Northern Illinois Police Alarm System (NIPAS) Emergency Services, Team (EST) for his role in a Hostage Rescue Mission in a neighboring community. The award was for "outstanding performance, courage and teamwork that had a direct influence on the successful completion of the mission". Mike and his team saved a person who had been kidnapped and held hostage for 13 days.

In 2005, Mike along with several other Lincolnwood police officers responded to Louisiana following the catastrophic losses caused by Hurricane Katrina. During his two week assignment, his duties included high risk patrol, search and recovery and escort protection for urban search and rescue teams.

In 2006, Mike earned the Medal of Valor from the NIPAS EST for demonstrating exceptional tactical discipline, judgment, courage and teamwork while operating in an extremely dangerous environment which involved the containment of an armed and barricaded gunman in the Village of Lincolnwood.

In 2008, Mike received a Joint Operations Award from City of Chicago Office of Emergency Management for his contribution to the City's Election Night Activities at the Grant Park President Elect Barak Obama Event.

In 2015, Mike earned the 2015 Illinois Tactical Officers Association Stryker Award Meritorious Service Medal in recognition of his dedication, technical expertise and outstanding efforts as a member of the NIPAS Emergency Services Team.

The chief stated that Mike's character is based on the following qualities:
Work Ethic, Responsibility, Leadership and Integrity.

He thanked Sergeant Cahill for his 24 years of devoted service and wished him and his family the very best of health and happiness.

Consent Agenda

President Pro-Tem Elster introduced the Consent Agenda which was presented by PowerPoint as follows:

1. **Approval of a Resolution Authorizing an Agreement with Quinlan Alarm Systems, Inc., for the Installation of a Security System and the Performance of Maintenance and Support Services in the Amount of \$83,507.64**
2. **Approval of an Ordinance in Case #ZB-04-15 to Grant a Rear Yard Setback Variation for a Deck at the Property Located at 5080 West North Shore Avenue**
3. **Approval of an Ordinance in Case #PC-13-15 Amending Section 7.06 of the Zoning Ordinance Regarding Off-Street Parking in Required Yards**
4. **Approval of an Ordinance in Case #ZB-05-15 to Approve Variations for Corner Side Yard Setback, Finished First Floor Height, Residential Deck, and Residential Patio at the Property Located at 3455 West Albion Avenue**

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

Upon Roll Call the Results were:

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

NAYS: None

The motion passed

Regular Business

5. **Consideration of a Recommendation by the Plan Commission in Case #PC-11-15 to Adopt an Ordinance Amending the Zoning Code Regarding "Short-Term Rental Property"**

This item was presented by Mr. Cook with use of PowerPoint.

Background

- Village has received calls regarding several residential properties used as short-term rentals
- Typically rented by property owners to guests for use on a temporary basis
- Rental by transient guests most similar to Hotel or Motel use
- Purpose of review to clarify intent of Zoning Code relative short term rental

Hearing Process

*September 2, 2015

- Plan Commission begins deliberations

*November 4 and December 2, 2015

- Plan Commission continues deliberation

*January 6, 2016

- Plan Commission concludes deliberation. Makes recommendation to Village Board

*Testimony Received from:

- Howard Handler, North Shore Barrington Association of Realtors
- Donald Gelfund, 7310 North Tripp Avenue
- Charles Halevi, 4224 West Pratt Avenue

Plan Commission Deliberation

*Commission opened with review and discussion of regulation alternatives as presented by Village Attorney

*Commission generally found that “Short Term Rental Property” should be regulated by Zoning Code

*Commission provided direction to Village Attorney on desired Amendments

- Commissioner Sampen indicated outright prohibition too restrictive and recommended Special Use
- Commission desired prohibition of use with several exceptions

*Commission reviewed draft Amendment, added to exceptions and made recommendation

Plan Commission Recommendation

*By 6 – 1 Vote, Commission recommends a Zoning Code Text Amendment to Prohibit “Short Term Rental Property” and establish additional standards

- Recommended Changes to Zoning Code Section 2.02, Section 4.04, Table 4.01.1, Section 4.06 and Section 4.07

*Dissenting vote cast by Commissioner Jakubowski due to belief that recommended standards too restrictive, however he stated his general support for regulating the use

Recommended Definitions

*Short Term Rental Property – A building or portion thereof that is held out for rent, for overnight lodging for transient guests, for a period shorter than 30 consecutive days

- Recommendation includes modifications to existing definitions for purpose of distinguishing traditional residential dwellings

Additional Standards

Residential Business and Office Districts

“Short-Term Rental Properties. No property within any residential district may be used more than once per calendar year as a short term rental property, except as follows:

- a. Pursuant to a rental agreement executed pursuant to, or in conjunction with, a contract to sell the real estate on which the short-term rental property is located, for rental to the seller of the real estate;
- b. For rental to permanent Village residents who have been displaced from their permanent dwelling units due to repair or renovations;

- c. For the provision of overnight lodging to guests of permanent Village residents other than the owner of the short-term rental property; or
- d. By owners who can demonstrate, to the satisfaction of the Village Manager, that they will suffer a demonstrable financial hardship if use of the property for a short-term rental property is prohibited. No property may be used as a short-term rental property pursuant to this Section 4.06(4)d prior to approval by the Village Manager and ratification by the Village President and Board of Trustees”

Discussion and questions ensued.

Trustee Cope questioned Special Use as indicated by the Plan Commission.

Trustee Klatzco is in favor of items a and b.

Trustee Spino is approves of a and b, but not c and d.

Trustee Patel stated that advertising is a problem, the Plan Commission did not discuss rental of individual rooms, wishes additional clarification of repercussions to property owners.

Trustee Cope questioned if there could be 12 - 30 day rentals in one year of one property.

Mr. Wiberg stated that one year ago a home was rented for one night for a Super Bowl Party.

Trustee Cope moved to recommend preparation of an Ordinance adopting the Plan Commission’s recommendation without items a, b, c, d. The motion was seconded by Trustee Patel.

Trustee Patel stated that there is no way for the Village to keep track of these rentals. Attorney Elrod added that Village enforcement is complaint based.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed

Manager’s Report

Mr. Wiberg: Village Hall will be closed on Monday, February 15 for President’s Day.

Board and Commissions Report

None

Village Clerk’s Report

Just a reminder regarding voter registration: Citizens may register to vote in the March 15 primary, until February 16.

Thanks to the staff at Lincolnwood Place and the Manor who were so helpful during registration at their facilities. Over 40 voters were registered.

Trustees Reports

Trustee Patel spoke of the Legislative Brunch he attended. Discussed were the effects that lack of state budget will have on all municipalities.

Trustee Klatzco announced the Human Relations Commission meeting on Monday, February 8th at 7:00 P.M. and urged all residents to consider attending

Public Forum

None

Adjourn to Closed Session

At 8:35 P.M., Trustee Cope made a motion to adjourn to Closed Session to discuss employment matters 2(c) (1). Trustee Spino seconded the motion.

Upon Roll Call the Results were:

AYES: Trustees Spino, Klatzco, Cope, Patel, President Pro-Tem Elster

NAYS: None

The motion passed.

Reconvene Open Session of the Regular Meeting

At 8:41 P.M., President Pro-Tem Elster reconvened the Regular Meeting.

Adjournment

At 8:41 P.M., Trustee Cope moved to adjourn the Village Board Meeting. The motion was seconded by Trustee Patel.

The motion passed with a Voice Vote.

Respectfully Submitted,



Beryl Herman
Village Clerk