

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
FEBRUARY 21, 2017**

Call to Order

President Turry called the regular meeting of the Lincolnwood Board of Trustees to order at 7: 30 PM, Tuesday, February 21, 2017, in the Council Chambers of the Municipal Complex at 6900 N. 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, Klatzco, Elster, Patel, Spino (by phone)

ABSENT: Trustee Cope

A quorum was present. Also present: Timothy Wiberg, Village Manager; Ashley Engelmann, Assistant Village Manager; Charles Greenstein, Village Treasurer; Heather McFarland, Management Analyst; Mark Burkland, Village Attorney; Charles Meyer, Assistant to the Village Manager; Steve McNellis, Director of Community Development ; Robert LaMantia, Police Chief; Robert Merkel, Finance Director; Andrew Letson, Acting Public Works Director

Approval of Minutes

The minutes of the February 7, 2017 Village Board meeting were not available at this time. Two sets of minutes will be available for review at the next Village Board meeting.

Warrant Approval

Trustee Klatzco moved to approve warrants in the amount of \$1,046,034.11. The motion was seconded by Trustee Elster.

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

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

NAYS: None

The motion passed.

Village President's Report

1. Iron Chiefs – President Turry spoke regarding the success of this event, over 100 were in attendance and a donation of \$3500 was made to the Niles Township Food Pantry.

2. A debate for those running for Village offices will be held on March 28 in Council Chambers and will be broadcast on Channel 6. This debate will be sponsored by the Lincolnwood Chamber of Commerce.

3. Lincolnwood Parks and Recreation Department received an Outstanding Program Award. Congratulations to Melissa Rimdzius, Laura McCarty and the rest of the staff.
4. President Turry spoke of criticism he has received for his leaving for vacation. He defended his position.
5. President Turry spoke of Earth Hour coming up in March and urged all residents to turn off their electricity using devices and lights.
6. Upcoming Meetings

President Turry announced upcoming meetings. These meeting dates may be found on the Village Website.

Consent Agenda

1. **Approval of a Request to Issue a Class S-E Liquor License to the Lincolnwood Public Library for a Grand Reopening Occurring March 2, 2017 from 5:00 P.M. to 7:00 P.M.**
2. **Approval of an Ordinance Waiving the Bid Process and Awarding a Proposal from Halogen Supply Company, Inc. for the Design and Purchase of Two Halo Gen.RTS Controllers for the Proesel Park Family Aquatic Center Pool**
3. **Approval of a Recommendation by the Parks and Recreation Board to Adopt an Ordinance, Waiving Section 6-3-2(B) Governing Park Hours, Section 9-1-3 Requiring the Issuance of Business Licenses and 6-3-9(I) Prohibiting Gambling, Allowing the Friends of the Community Center to Hold Lincolnwood Fest 2017 on July 20-23**
4. **Approval of a Recommendation by the Traffic Commission to Adopt an Ordinance to Amend Chapter 7, Article 2, Section 15 of the Village Code Pertaining to Restricting Parking Between the Hours of 9:00 p.m. and 6:00 a.m. in the Designated Parkway Parking Area on the East Side of Kimball Avenue between Devon Avenue and the North Alley**

Trustee Elster moved to approve the Consent Agenda, as presented, seconded by Trustee Patel.

Upon Roll Call the Results were:

AYES: Trustees Patel, Elster, Bass, Klatzco

NAYS: None

The motion passed

Regular Business

5. **Consideration of an Ordinance to Amend Chapter 7, Article 2, Section 17, 18 and 24 of the Village Code Regarding Parking of Recreational and Commercial Vehicles**

This item was presented by Chief LaMantia using PowerPoint.

Commercial Vehicles – Current and Proposed Regulations by Vehicle Type

Charts indicating types, regulations and proposed regulation were exhibited for thirteen types of vehicles.

Photographs were exhibited of various types of vehicles identified within the Village.

Trustee Bass questioned the square footage of signs.

Trustee Patel stated that this item has been in discussion for about five years. It came before the Traffic Commission in 2012. The question is how to regulate, not do we regulate.

Can the Board bifurcate and move forward with the identified six items.

Trustee Bass would like to Table this item, because people were not given enough notice.

Attorney Burkland stated that if consensus is to revise the Ordinance, the Board needs to direct the attorney to draft a new Ordinance.

Chief LaMantia stated that notifications have been made.

President Pro-Tem Elster recommended that the item be Tabled and brought to a meeting with the full Board in attendance.

Trustee Bass suggested that everyone would know what is going on if the Village checked names on vehicle stickers.

Trustee Patel stated that the problem is that not all vehicles are stickered in Lincolnwood.

President Pro-Tem Elster opined that either there should be a vote on all items or Table all.

The following residents addressed the Board:

Resident Peter Ranemann – We will keep coming back to meetings, some of the items are logical, some not.

Resident Steve Kadeem – We need at least a month's notice, where do we draw the line on which vehicles we may have.

Resident Virgil Tiran – We should not have to hire an attorney to see where we can park.

Trustee Patel stated that he had observed a very large truck on a driveway for one year – a process is needed.

Resident Lou Napravnik – Thanks for hearing us. We need to get the word out, there are no bad people here.

Resident Tiba – Vehicles on driveways for more than one or two days should not be allowed. Complaints should be checked.

Resident Stan Wilk – Recommends using robo-call to notify residents of meetings of interest.

Mr. Wiberg provided residents with Chief LaMantia's email.

A list of those in attendance was provided, with contact information.

Trustee Klatzco moved to Table the item to the Village Board meeting of June 20 (workshops to be held before the meeting), seconded by Trustee Bass Motion passed with a Voice Vote.

6. Consideration of an Ordinance Waiving Competitive Bidding and Authorizing an Agreement with Kane, McKenna and Associates, Inc. for Performance of an Eligibility Study for the Re-designation of the Lincoln-Touhy Redevelopment Project Area

This item was presented by Mr. McNellis using PowerPoint.

TIF Approval Process Timeline

Six Month Process

- *TIF Consultant begins work on Eligibility Study (Day 1)
- *TIF Consultant completes Eligibility Study and Village Board Resolution setting Date for Joint Review Board meeting (Day 60)
- *Joint Review Board convenes (Day 90)
- *Joint Review Board provides recommendation (within 30 days of meeting) (Day 120)
- *Village Board sets date of Village Board Public Hearing (Day 160)
- *Village Board adopts Ordinances approving Redevelopment Plan and TIF Designation (14-90 days after Public Hearing) (Day 174)

Proposed TIF Legislation

- *House Bill (HB2964) introduced on February 9, 2017
- *Proposed to amend the Tax Increment Allocation Redevelopment Act
- *Provides that when a TIF District is terminated, property within that District may not become part of another TIF District for 15 years after the date of termination
- *Bill was referred to the House Rules Committee on February 9, 2017
- *If ultimately approved, this would preclude the Village from following through with Re-designating the Lincoln-Touhy TIF for 15 years.

President Turry indicated that in his opinion this legislation is likely to pass.

Trustee Patel read the following statement:

At the last Village Board meeting, several statements were made by Trustee Bass on this dais regarding the Touhy/Lincoln TIF and how it relates to development of the former Purple Hotel site. We were given information from our professional staff and counsel regarding the history of the existing TIF and its current status. We were also provided with several reasons that the action we were contemplating was the right direction for us to take. In particular, it was noted that the creation of the current TIF was instrumental in attracting a developer to purchase the property from an owner that was facing foreclosure. This is, through no fault of the Village or Village Board, the same situation we have now.

During our deliberation and after the vote, several statements were made by Trustee Bass about how developers select projects and how to attract them to the site. Claims of 'real developers' waiting in the wings and the ability to 'fast track' the TIF designation process were BASELESS. The Village Board has no way to control the actions of the Joint Review Board nor can any assurance be given that their support will remain. Additionally there is now proposed legislation in Springfield which could make the proposed re-designation IMPOSSIBLE in the future. Claims of measures not being taken by

the Village Board or Village Staff are EMPTY. Many measures are being taken by the Board and Staff to assist in development of the site as this Village Board, including Trustee Bass, knows very well.

As a member of ICSC and a real estate professional with nearly two decades of retail real estate experience in the Chicagoland market, I am the most experienced and knowledgeable person on this dais on this subject. I however, am not the developer that will develop this site. I will serve this Village as a Trustee and will work to the best of my abilities to advocate for a successful and desirable development. To that end, today, I reached out to some of the most well respected and knowledgeable people in the real estate development industry. I explained our intentions to re-designate the TIF and the circumstances which the site faces. With the limited time available to me today, I reached out to several people and all of them agreed, as I suspected, that the re-designation of the TIF was the proper action for the Village to take, if we are looking to attract developers. It was agreed that without that action, DEVELOPMENT WILL NOT OCCUR.

All of these people have given me permission to state their names and companies publicly in support of the re-designation in an effort to attract a developer. Some of the respondents even expressed that they will have interest in the site if the proposed measure is adopted. The names of those that agreed to be publicly known are: Liz Holland, CEO of Abbell Associates and Chairman of the International Council of Shopping Centers; Todd Berlinghoff, Partner of Hamilton Partners; James Matanky, President of Matanky Realty; Scott Gendell, President of Terraco; Terry McCollom, President of McCollom Realty; Donna Pugh, Partner at Foley and Lardner, a leading zoning attorney, representing major developers such as Westfield malls, owner of Westfield Old Orchard. There are several others that could not be reached today, but based on the affirmative response I received I would expect I would not find a major developer that would not agree on the course of action we are taking.

That being said I move to approve the ordinance as proposed, seconded by Trustee Klatzco.

Trustee Bass stated that he feels this is not a pressing issue. He stated that House Bill 2967 was just presented to the State Legislature and that he has talked to people interested in the site and none of the people stated that the TIF needed to be restarted. When there is a developer in works, there will then be a pressing situation. He stated that if a developer takes control of the site, he would then be in favor of taking the issue up again.

Trustee Patel stated that as an experienced real estate developer, he has spoken to many development leaders and they all agree that the TIF needs to be re-started if the Village wants to see development occur on the site.

President Turry stated that he believes that HB2967 will move forward quickly, and if it approved by the state, it will stop the re-designation process for 15 years. Therefore, he believes the need to move forward is now. He further stated that all expenses incurred with the process are eligible to be paid for by the TIF, so he feels that there is no financial risk to the Village.

Trustee Bass questioned attorney Burkland as to what he believes the timetable would be for the state to consider, and possibly approve the HB2967.

Attorney Burkland responded that this is unpredictable.

President Turry called for a vote on the motion.

Upon Roll Call the Results were:

AYES: Trustees Bass, Patel, Elster, Klatzco, Spino, President pro-tem Elster

NAYS: None

The motion passed

EDC Chair Jim Persino addressed the Board. He stated that perhaps the sponsor of the bill would be willing to accept an amendment regarding those communities already in the process of opening a new TIF. This will be looked into.

Resident Christina Duropoulos questioned when something will be done with this area. Mr. Wiberg, Trustee Patel, Trustee Klatzco and Trustee Bass responded.

7. Consideration of an Ordinance Amending Chapters 6, 12, and 15 of the Village Code Regarding the Village's Public Way and Water and Sewer Regulations

This item was presented by Mr. Letson using PowerPoint.

Background

The Village Engineer performed a review of the Code and proposed changes based on current engineering practices.

Previous Discussions

*June 21, 2016 – COTW

*August 31, 2016 – CORB

*September 20, 2016 – COTW

February 8, 2017 – Plan Commission

Proposed New Driveways and Driveway Approach Regulations

*New driveway approaches must be constructed a minimum distance from parkway trees

*One foot per diameter inch, up to 10 feet

- A driveway would need to be at least 5 feet from a 5 inch tree

- A driveway would need to be at least 10 feet from a 12 inch tree

*In cases where avoiding a tree is not possible, the resident may remove the parkway tree

- If there are no parkway trees within 25 feet of the subject tree, the resident would pay into a replacement fund at a rate of \$150 per diameter inch

Proposed New Connection to Water Mains Regulations

*Connections to Village water mains must conform to standards set forth by the Director of Public Works

*Allows the Village Engineer to develop a standard detail for connections based on modern engineering practices

Proposed New Manner of Filling Trenches Regulations

*Updates backfilling requirements to note the use of stone as trench backfill under pavement

*Requires proper compaction of the stone

*Meets current IDOT standards and engineering practices

Proposed New Footing Drain and Downspout Requirements

- *Requires new sump pumps and downspouts discharge to either the front or rear yard and not toward any adjacent properties.
- *Discharge must be a minimum of 5 feet from the property line
- *Allows existing conditions to remain, unless they are causing a nuisance

Proposed New Definitions in Chapter 12

- *Creates a definition for “Combined Sewer”
- *Amends definitions for 100-year and 2-year storm events

Proposed Amendment to Stormwater Detention Regulations

- *Developments that disturb more than ½ acre are required to obtain a permit from MWRD
 - Permit regulates the amount of required detention and the rate of flow into the sewer system
- *The Village has adopted stricter regulations to mitigate inundation of the combined sewer system
- *The amendment removes the stricter requirements for properties that are tributary to a separated storm sewer
 - Primarily the NEID
 - These properties do not have an impact on the combined sewers
 - Reduces the overall development cost for projects in the affected area

Proposed Regulations Related to Method of Discharge, Excessive Release Rate Fee, Restrictor Size and Design

- *Eliminates the 3 inch minimum restrictor size requirement and fee for an excessive release rate
- *Smaller restrictors do not have clogging issues if designed properly and have devices to prevent clogging
- *Amendment provides flexibility for development projects

Proposed Regulations Regarding Altering Drainage Patterns

- *Requires a grading permit for a variety of activities
 - Construction of a new home or addition
 - Construction of an accessory structure
 - Installation of in-ground swimming pools
 - Landscaping changes that alter the flow of existing drainage
 - Land disturbing work in the floodplain
 - Land disturbing work affecting an area of one acre or more
 - Demolition of any building
 - Altering drainage patterns
 - Excavating or filling an area greater than 50 square feet
- *The documentation required will be determined on a case by case basis, primarily based on the scope of the project

Proposed Change to Definition in the Zoning Code

- *Creates a definition for the top of curb
 - Highest point of curb along the frontage of property
- *Assists with measuring the allowable height of the finished first floor
- *Codifies current practice

Recommendation

Move to approve an Ordinance amending Chapters 6, 12 and 15 of the Village's public way and water and sewer regulations.

Discussion ensued with clarification provided by Mr. Letson and Village Engineer Amelio.

Trustee Patel moved to approve the Ordinance as proposed, seconded by Trustee Klatzco.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed

Manager's Report

None

Board and Commissions Report

None

Village Clerk's Report

Absentee ballot request forms have been received by the Village. Anyone wishing to receive a form contact the Clerk's office and provide your name and address and you will receive the form.

Trustees Reports

None

Public Forum

Resident Jean Halevi spoke suggested that the Village plant milkweed along our new walking paths in order to attract Monarch butterflies which are endangered. She stated that this is not a costly project and would be helpful to the environment.

Adjournment To Closed Session

At 9:40 P.M. Trustee Elster moved to adjourn the Village Board meeting to Closed Session for the purpose of discussing probable or imminent litigation 2(c),(11) seconded by Trustee Bass.

Upon Roll Call the Results were

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

NAYS: None

The motion passed

Reconvention

At 10:01 P.M. President Turry reconvened the Village Board meeting.

Adjournment

At 10:01P.M. Trustee Elster moved to adjourn the meeting, seconded by Trustee Klatzco.
The motion passed with a Voice Vote

Respectfully Submitted,

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

Beryl Herman
Village Clerk