

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
MAY 1, 2018**

Call to Order

President Bass called the regular meeting of the Lincolnwood Board of Trustees to order at 7:35 PM Tuesday, May 1, 2018, 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.

Roll Call

On roll call by Deputy Village Clerk Ashley Engelmann the following were:

PRESENT: President Bass, Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

ABSENT: None

A quorum was present.

Also present: Tim Wiberg, Village Manager; Ashley Engelmann, Assistant Village Manager; Chuck Meyer, Assistant to the Village Manager; Heather McFarland, Management Analyst; Robert Merkel, Finance Director; Andrew Letson, Public Works Director; Nadim Badran, Assistant to the Public Works Director; and Steven Elrod, Village Attorney

Approval of Minutes

The minutes from the April 3, 2018 Village Board Meeting were approved.

Upon Roll Call the Results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

The minutes from the April 17, 2018 Village Board Meeting were continued.

Upon Roll Call the Results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

Warrant Approval

President Bass presented the warrants for approval in the amount of \$686,389.17. Trustee Sugarman moved to approve, seconded by Trustee Hlepas Nickell.

Upon Roll Call the results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

Village President's Report

1. Memorial Day Parade

The Village would like to honor those who have served or are currently serving in the military by reading their names at the Lincolnwood Memorial Day Ceremony in Madeleine's Garden on Monday, May 28 at 11 a.m. If you would like us to recognize and honor a veteran or active service member who currently lives in Lincolnwood, or is a family member of a Lincolnwood resident, please email their name, branch of service, rank and years served and any other information you would like to include to recreation@lwd.org or call Parks and Recreation at 847-677-9740.

2. Lincolnwood Sizzling Sign-Up

Lincolnwood Sizzling Sign-up took place at Todd Hall. Staff from Lincolnwood's Parks and Rec, Fire and Police Dept. were available to help residents register for many fun summer programs and to purchase this year's pool pass.

3. ComEd

ComEd has notified the Village that based on their filing with the Illinois Commerce Commission, it is anticipated that the average residential electricity delivery bill will be reduced by \$0.50 per month.

4. Touhy Avenue Overpass

The Touhy Avenue Overpass project continues to move along with construction of the approach wall on the south side of Touhy Avenue. Additionally, the contractor has begun installation of the brick facing on the piers and abutments on the north side of Touhy Avenue. Users of the path are reminded to stay outside of the construction zone marked with orange fencing and to cross Touhy Avenue at the traffic signal in front of Barclay Place.

5. Tucker Development

Tucker Development is moving forward with architectural conceptual renderings and will hopefully have those in the next week or so.

6. Swearing in of Police Chief Jason Parrott

Interim Chief Rottner called Jason Parrott to the podium. Chief Rottner provided introductory remarks and introduced Jason Parrott's family. Chief Rottner called Clerk Beryl Herman to the podium where she administered the Oath of Office to Jason Parrott. Chief Parrott thanked the members of the Board.

7. Recognition of Interim Police Chief Bruce Rottner

Chief Parrott provided brief remarks regarding Interim Chief Rottner's time in Lincolnwood and invited him to the podium, along with his family. A shadow box from the Lincolnwood Police Department commemorating his time as Chief was presented to him.

A 15 minute break was taken for reception

Consent Agenda

1. Approval of a Resolution Adopting Prevailing Wages Effective May 1, 2018 for the State of Illinois Prevailing Wage Act

2. Approval of a Recommendation by the Zoning Board of Appeals to Adopt an Ordinance Approving a Reduction in the Required Side Yard Setback to Allow the Demolition of a Legal

Non-Conforming Garage and Construction of a New Garage in the Same Location at 6609 North Kolmar Avenue

Trustee Hlepas Nickell moved to approve the Consent Agenda. The motion was seconded by Trustee Spino.

Upon Roll Call the results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

Regular Business

3. Consideration of a Recommendation by the Zoning Board of Appeals to Adopt an Ordinance Approving Variations from the Zoning Code to Permit Natural Screening Over Four-Foot-Tall in a Front Yard Setback, a Terrace/Patio and Decorative Wood Posts as Permitted Obstructions in a Front Yard Setback, Business Operations Outside of an Enclosed Building, a Side Yard Setback less than Ten Feet (10') for Wooden Planters and a Front Door Canopy, a Bike Storage Canopy as a Permitted Obstruction in a Side Yard Setback, and Denying a Variation for a Vestibule within a Side Yard Setback, all in the MB Zoning District, for the property at 7001 North Ridgeway Avenue

This item was presented by Steve McNellis, Community Development Director, via PowerPoint. Mr. McNellis noted that the recommendation is for several variations for Food for Thought Catering. The building and the loading and parking area to the east consume the majority of the site. It is zoned light/manufacturing. Mr. McNellis provided background on the property. Food for Thought was established in 1983 in Evanston and has headquartered in Lincolnwood since 1996. The property is a corner lot with frontage on Ridgeway and Lunt. The previous owner constructed the building prior to 1988 as a one-story office/warehouse building. Food for Thought constructed an addition with a second story mezzanine for offices in 1998. No other significant exterior improvements have been made since that time.

Mr. McNellis presented the current conditions of the property. The variation requested is designed to improve the exterior aesthetics and enhance the customer experience.

The variations requested are as follows:

- Natural screening, not associate with parking lot screening in a required front yard setback and at a height greater than 4' in the MB Zoning District
- A terrace/patio as a permitted obstruction in a required front yard setback on a lot in the MB Zoning District
- Business operations to be conducted outside a completely enclosed building, to allow part of the food tasting operation of a catering facility to be conducted on an outdoor terrace
- Decorative wood posts as a base to suspend festive patio lights above a patio, as a permitted obstruction in a required front yard setback
- A setback less than 10' for a vestibule and raised wooden planters in a required side yard abutting a street

Variation #1- Natural Screening in a Required Front Yard Setback

- Proposed 6' tall arborvitae to screen patio used for outdoor tastings

- Proposed natural screening in in 25' front yard setback; does not screen parking and is taller than 4'
- Conforms with safety/line-of-sight requirements
- Covers 25% of building elevation and breaks-up long façade

Variation #2- Terrace/Patio as Permitted Obstruction in Required Front Yard Setback

- Patios are permitted obstruction in a front yard setback, in residential only
- Proposed patio is 9' from the property line, where 25' front yard setback is required, unless it is a permitted obstruction
- Customer-focused patio for outdoor food tastings
- Layout of property, minimal setbacks limit options for customer focused area

Variation #3- Outdoor Business Operations

- Village Code requires for the MB Zoning District “All business, processing, storage and all other activities and operation shall be conducted within completely enclosed buildings.”
- Proposed patio use (food tastings) is integral part of customer operations for this business
- Intent of Code Section is to prevent typical industrial operations (equipment repair, processing materials, etc.) to be conducted outside in MB District

Variation #4- Wood Posts as Permitted Obstruction in Required Front Yard Setback

- Proposed for posts that support festive patio string lights connected to the building, which act as a “ceiling” for patio
- Arbor/Trellis is permitted obstruction in all but required front yard setbacks
- Four proposed posts are 9' from the property line, where 25' front yard setbacks are required, unless a permitted obstruction

Variation #5- Side Yard Setback for a Vestibule and Raised Wooden Planters

- Minimum side yard setback of 10' for any structure, when side yard abuts a street. Proposed vestibule and planters maintain 2'-6" and 2' setbacks, respectively
- Vestibule, appropriately sized for door swing placed in this location to orient customers to the only public entrance
- Four planters, 2' tall and 32 sq. ft. each add greenery to break-up long façade with minimal landscaping

Mr. McNellis summarized the Zoning Board of Appeals deliberations:

- A public hearing was held on April 18, 2018
- The Zoning Board of Appeals divided the six variation requests into two categories
 - Front yard requests (on Ridgeway Avenue)
 - Side yard requests (along Lunt Avenue)

Front Yard Requests

- Outdoor Business Operations
 - First addressed request to permit outdoor business operations, which is related to outdoor food tastings, as this request impacts all other requests on Ridgeway Avenue
 - Consensus that standards were met and that business is unique in its combination of industrial scale preparation/distribution of food and customer focus

- Consensus that this would not set a precedent for outdoor operations in the MB, due to nature of operations

Side Yard Requests

- Bike Storage Canopy and Wooden Planters
 - Consensus on approval of the bike storage canopy as a permitted obstruction and a variation for wooden planters in the side yard setback
 - Questioned whether or not wooden planters are a structure in need of a variation, but there was consensus to support the variation
- Vestibule
 - Vestibule being minimum relief necessary to protect front door from weather elements and provide visual marker for public entry
 - Consensus that the vestibule did not meet the standards, but support for a canopy in its place. Approval of canopy conditioned on a plan detail to be provided for the Village Board to review

No testimony from the public or written comments were received for the public hearing.

Zoning Board of Appeals made two recommendations:

#1- Unanimous vote 4-0 approval of:

- Business operations outside of an enclosed building in the MB District
- Terrace/patio as a permitted obstruction in the front yard
- Wood posts supporting decorative lighting as a permitted obstruction in a front yard
- Natural screening in a front yard in MB District
 - Condition that an enlarged screened landscape area be provided around arborvitae screen
 - Petitioner requested the ability to work with staff on the landscape plan detail as a condition of approval

#2- Unanimous vote 4-0 approval of:

- Bike storage canopy that projects greater than 25% into a side yard
- Setback less than 10' for wooden planters in a side yard abutting a street

Unanimous vote 4-0 denial of:

- Setback less than 10' for a vestibule in a side yard abutting a street

Unanimous vote 4-0 approval of:

- Setback less than 10' for a canopy in a side yard abutting a street

Action requested is approval of the variations with the canopy in place of the vestibule.

Trustee Hlepas Nickell asked if there will be lighting attached to the canopy.

The petitioner stated that the lighting is not attached to the canopy.

President Bass stated that he would like to give an introduction for the petitioner, Food for Thought. They are a high end, branded, image oriented company. They do catering for events, large institutions, corporations or private events. Food for Thought has made a commitment and a huge financial investment to stay in Lincolnwood although there is a little shortage of space. As a side note they are occupying Voss on the corner of Hamlin. They have blasted off Lean Box. Light manufacturing is

becoming obsolete. Overall we are looking to create a path to attracting more business in the area and transforming it. President Bass noted that the Board should hear from the petitioner because their needs are based on the plan. The petitioner was invited to the podium.

Mr. Garcia from Food for Thought presented additional details on the property. They have been in Lincolnwood since 1998. They are women owned, minority owned and green certified. Operate 4 business units and employ 235 full-time and 250 part-time employees and do \$33 million in revenues annually. There are 4 business units which are as follows:

- Catering
- Delivery Group
- Breakroom
- Dining Services

All are brand related which is critical to their business and what they represent. The reason they are asking for the approval is as follows:

- Sophistication of the market place
- Recruitment and retention
- Food service business competition with grocery stores
- Challenged by access to public transportation and image
- Competition is located in Fulton Market in Chicago

Challenges:

- Location of clients and proximity to business
- Gala or Board clients proximity to business
- Company growth (7% growth this year) adds employee needs
- Tastings

Food for Thought sells an experience. Uses locally sourced foods. Competitors have changed and Food for Thought needs to as well.

New employees and customers cannot tell where the front entrance is. The remodel is part of the experience they are selling to their customers. Another hardship is difficulty in finding their location, urban versus suburban challenges. They want to create a statement.

President Bass thanked Mr. Garcia.

Trustee Patel asked if the sales tax goes to Lincolnwood.

Mr. Garcia noted that everything that is not catered offsite goes to Lincolnwood.

Trustee Cope stated that it is an excellent business in the community. There is not detriment with what they are asking and we can help a business.

Trustee Ikezoe-Halevi thanked them for being and staying in the Village.

Trustee Hlepas Nickell noted that what they are proposing is exactly what the vision is for the area and that the Economic Development Commission is discussing.

Trustee Hlepas Nickell moved to approve the Ordinance, seconded by Spino

Upon Roll Call the Results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

4. Consideration of A) a Resolution Approving a Memorandum of Agreement with Romspen Club Holdings, Inc. and B) an Ordinance Repealing Ordinance No. 2018-3321 Pertaining to the Former Purple Hotel Site Located at 4500-4560 W. Touhy Avenue and 7350 N. Lincoln Avenue

This item was presented by Steven Elrod, Village Attorney. Mr. Elrod provided history for the site. In 2006, mold violations led the Village to close the occupancy of the existing hotel building; in 2011 the Village obtained a court order to demolish the building. In 2012 the Village began its long relationship with North Capitol Group, the potential developer of the site. North Capitol Group did demolish the building at its expense in 2013, North Capitol Group's relationship with the Village ended due to them faulting on their agreement with the Village. In 2017, the Village successfully enforced its agreement against North Capitol Group in court but North Capitol Group's interest in the property was foreclosed and the title was vested in Romspen Investment Corporation. In August of 2017 the Village in an effort to facilitate development to the site engaged the Lakota group to develop a concept plan for the vision of the site and approved a conceptual site plan for the property. Because the property remained vacant and blighted on March 6, 2018 the Village Board unanimously adopted an Ordinance to commence good faith negotiations to acquire title to the property. That was Ordinance No. 2018-3321. Prior to that, the Village authorized staff to commence enforcement of the code violations against the property owner. At the April 17, 2018 Board meeting the property owner, Romspen presented the Village with a credible contract purchaser, Tucker Development Group who has represented its intent to develop the property in accordance with the Village's concept plan. To facilitate the potential development by Tucker, Romspen asked the Village to repeal Ordinance No. 2018-3321 which was the good faith negotiations Ordinance and to stay enforcement of the Code violations. There is a draft agreement on the Village Board's agenda this evening between the Village and Romspen Club Holdings, Inc. that would provide for the Village to repeal Ordinance No. 2018-3321 and stay the enforcement of the Code violations. In return for the Village doing those two things, Romspen has made an acknowledgement that the Code violations do exist and an implementation at Romspen's expense of certain property maintenance activities, such as weed cleaning, rodent removal plan, and fencing along the property. The stay of Code enforcement would continue for as long as Tucker is the contract purchaser and for a specified period of time thereafter but would be terminated if Tucker does not file a plan development application with the Village by July 1 of 2018 and if it does not diligently and in good faith pursue an application. There are two items on the agenda; they can be taken in omnibus fashion.

Trustee Hlepas Nickell moved to approve a Resolution Approving a Memorandum of Agreement with Romspen Club Holdings, Inc. and an Ordinance Repealing Ordinance No. 2018-3321 pertaining to the Former Purple Hotel Site Located at 4500-4560 W. Touhy Avenue and 7350 N. Lincoln Avenue, seconded by Trustee Spino.

Upon Roll Call the Results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

Mr. Elrod noted that the agreement had already been executed by Romspen and would be prepared for the Mayor's signature.

5. Consideration of a Resolution Authorizing the Adoption of the Operating Budget for Fiscal Year May 1, 2018 to April 30, 2019

This item was presented by Robert Merkel, Finance Director. Staff is recommending approval of the Fiscal Year 2018/2019 operating budget. The new budget will start May 1, 2018 and end April 30, 2019. The total budget is in the amount of \$41,940,000 and that is for all of the funds of the Village. Mr. Merkel reviewed the budget process which started in November of 2017. The budget team is headed by Village Manager Tim Wiberg; Assistant Manager Ashley Engelmann; Chuck Meyer, Assistant to the Village Manager; Heather McFarland, Management Analyst; and Mr. Merkel. Draft budgets and goals were submitted in December and the month of January was spent reviewing the budget with each Department. On February 13, 2018 a Budget Workshop was held to review the draft budget. The Village Board provided direction on the draft budget. Those changes were made and reviewed with the Finance Committee on April 5, 2018. At the last Committee of the Whole meeting an in-depth presentation on the draft budget was presented. The overall budget is \$41,940,000. The largest portion of the budget is attributed to the General Fund which is around \$22,000,150. The reason the General Fund is so large is because it supports the majority of the services provided by the Village. There are also many capital projects included in the budget. They include: replacement of street lights on Devon Avenue, construction of the pedestrian/bicycle overpass, construction of a transmission main for an alternative water supplier, outfall sewer as part of the stormwater management program which a grant is being applied for and will only proceed if the grant is received. The next step in the budget process is the adoption of the Appropriation Ordinance. This will occur in the first quarter of the fiscal year. We will continue to update the Board on the budget throughout the year. Mr. Merkel thanked the budget team, fellow Directors and the Village Board for their work on the budget.

Trustee Cope asked how this ties in with the Appropriation Ordinance.

Mr. Merkel noted that this is the plan for what we think we will spend and the Appropriation Ordinance is what we can spend for the year. This will be brought to the Board at the end of the first quarter of the fiscal year.

Trustee Spino moved to approve the adoption of the Operating Budget for Fiscal Year May 1, 2018 to April 30, 2019 seconded by Trustee Sugarman.

Upon Roll Call the Results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

6. Consideration of a Resolution Establishing Certain Annual Fees to be Charged by the Village During Fiscal Year 2018-2019

This item was presented by Ashley Engelmann, Assistant Village Manager.

Mrs. Engelmann stated that for the Board's consideration is a Resolution establishing certain annual fees to be charged by the Village during Fiscal Year 2018-2019. Each year the Village adopts a Fee Resolution which establishes all of the fees and fines referenced in the Village Code for the new fiscal

year. The Village maintains a practice of adopting the annual Fee Resolution immediately following approval of the budget for the new fiscal year. During the FY 2018/2019 Budget Workshop, staff presented three adjustments to the fee schedule:

- Implementation of an administrative towing fine of \$500 for charges associated with driving under the influence (“DUI”)
- Adjustment of the vehicle sticker license fee by \$10 per vehicle type
- Adjustment of ambulance fees by \$100/fee type (residents continue to pay no out-of-pocket expense)

The recommended fee modifications were approved at the April 3, 2018 Village Board meeting. The Resolution for consideration this evening establishes the annual fees for the Fiscal Year 2018-2019.

Trustee Ikezoe-Halevi moved to approve a Resolution establishing certain annual fees to be charged by the Village during Fiscal Year 2018-2019 seconded by Trustee Hlepas Nickell.

Upon Roll Call the Results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

The motion passed.

Manager’s Report

None

Board and Commissions Report

Trustee Ikezoe-Halevi informed people that she is the liaison for the Human Relations Commission and that two positions are open on the Commission currently.

Village Clerk’s Report

None

Trustees Reports

Trustee Ikezoe-Halevi noted that she had asked that the Village Manager’s contract be discussed at either a special meeting or possibly this one but she had not received any indication of when it would be happening.

Mayor Bass stated that the Board is fully aware of all the details discussed in closed session which is confidential and all he can say on that.

Trustee Ikezoe-Halevi stated that at some point she believes we need to make an open and transparent discussion of what the decision is.

Mayor Bass stated that he is not disagreeing with her but at this point in time, as she is well aware this is a confidential matter.

Trustee Ikezoe-Halevi noted that she is well aware of that but wanted to know if there would be a point where this could be discussed in an open manner.

Mr. Elrod stated that the answer to that question can be provided to the Board in closed session.

Public Forum

Pam Lefkowitz, stated that she has seen numerous meetings where personnel is being discussed in closed session. Back in December, it has been a whole lot of time since the Village Manager's contract has been non-committed to and she recalled hearing that Trustee Cope said let's put his off until we can discuss it at another time. Nothing in that meeting said we aren't going to commit to hiring him again or renewing a contract and yet it keeps getting delayed and nothing is said about it. We want to know what is going to happen with our Village Manager. The due date is a few weeks away. This is unfair to him, to the Village. We have a lot going on and she knows the Board does not have to answer but she would like a Trustee to answer the question if Mr. Wiberg will be kept or when will we know something about it.

Caren Ex spoke. She lives at 3810 Jarlath. She congratulated the Board on the explanation of the history of the Purple Hotel site. Ms. Ex also requested that members of the Board speak into the microphone so the members of the public can hear the discussions.

Adjournment

At 8:57 PM Trustee Hlepas Nickell moved to adjourn the meeting to Closed Session for the purpose of discussing Purchase or Lease of Property Per Section 2(c)(5) and Personnel Per Section 2(c)(1), seconded by Trustee Spino.

Upon Roll Call the results were:

AYES: Trustees Sugarman, Spino, Hlepas Nickell, Ikezoe-Halevi, Cope and Patel

NAYS: None

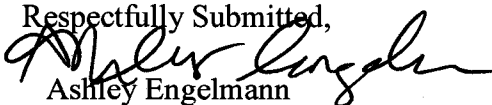
The motion passed.

Reconvention

At 10:00 PM Mayor Bass reconvened the Regular Meeting.

Adjournment

At 10:01 PM Trustee Spino moved to adjourn the Regular Meeting, seconded by Trustee Patel. The motion passed with a Voice Vote

Respectfully Submitted,

Ashley Engelmann
Deputy Village Clerk