

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
REGULAR MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
NOVEMBER 20, 2018**

**Call to Order**

President Bass called the regular meeting of the Lincolnwood Board of Trustees to order at 7:30 P.M. Tuesday, November 20, 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 Village Clerk Beryl Herman the following were:

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

ABSENT: None

A quorum was present.

Also present: Robert Merkel, Interim Village Manager; Charles Meyer, Assistant Village Manager; Steven Elrod, Village Attorney;

**Approval of Minutes**

The minutes from the November 6, 2018 Village Board meeting was presented to the Village Board. Trustee Nickell made a motion to approve, seconded by Trustee Halevi.

The minutes were approved by a voice vote.

**Warrant Approval**

President Bass presented the warrants for approval in the amount of \$972,630.80. A motion to approve the warrants was made by Trustee Sugarman, seconded by Trustee Spino.

Upon roll call the results were:

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

NAYS: None

The motion passed.

**Village President's Report**

**1. Appointment of Maggie Weiss to the Beautification Commission**

Trustee Ikezoe-Halevi moved to approve the appointment, seconded by Trustee Hlepas Nickell.

The motion passed by Voice Vote.

**2. Turkey Trot**

President Bass thanked everyone that participated and volunteered in the 42<sup>nd</sup> Annual Turkey Trot.

President Bass gave a special thank you to this year's sponsors and read off their names.

VIP Sponsors – Republic Bank and Grossinger Auto Group

Diamond Level Sponsors – CARA, Dick Pond Athletics, Federal Mogul Motor Parts, Honest Tea  
Liberty Bank for Savings, Lincolnwood Fire Department (PSI), KIND Bars, Lifeway Foods, Lou Malnati's, Meatheads, Northshore University Health System, 90 Miles Cuban Café

Gold Level Sponsors – Athletico, Christopher B. Burke Engineering Ltd., Groot Industries, Inc, Holland & Knight, LLP, Voss Belting & Specialty Co.

Silver Level Sponsors - Byline Bank, Children’s Care & Development Center, Complete Chiropractic & Rehab, Halogen Supply Company, Illinois Bone and Joint Institute, Lou Lang, Orange Theory Fitness, Red Fin.

The following supporting sponsors have provided refreshments and other items:

Northshore University Healthsystem, Starbucks and New York Bagel & Bialy.

### **3. Lincolnwood Lights and New Candy Cane Hunt**

President Bass announced that the 6<sup>th</sup> Annual Lincolnwood Lights and candy cane hunt will take place on Thursday, November 29 at the Village Hall Promenade. Participants will enjoy hot chocolate, music from Lincoln Hall’s Choral group and the ceremonial lighting of holiday lights. The kids will also enjoy a surprise visit from Santa Claus who will arrive by Fire Truck.

Prior to Lincolnwood Lights,

### **4. Letters to Santa**

President Bass announced that Santa is now accepting letters in the mailbox outside of Village Hall.

### **5. 2<sup>nd</sup> Annual Breakfast with Santa**

President Bass announced the 2<sup>nd</sup> Annual Breakfast with Santa will be taking place on Saturday, December 8 in the Community Center.

### **6. Hannukah and Diwali**

On November 18, in Northbrook, the Hindu Holiday of Diwali and the Jewish Holiday of Hannukah were honored, both are festivals of light and were celebrated together. The value of tolerance for the faiths of others was stressed.

**Consent Agenda** (If anyone in the audience wishes to speak to any matter on the Consent Agenda, a Speaker’s Request form must be filled out and given to Mayor Bass and the item will be removed and placed under Regular Business. If any Trustees wish to address any item on the Consent Agenda, the item will be removed and placed under Regular Business.)

- 1. Approval of a Resolution Approving a Smart Phone Compensation Agreement Between the Village and the Illinois Fraternal Order of Police Labor Council**
- 2. Approval of a Resolution Requesting Motor Fuel Tax Funds from the State of Illinois Pertaining to General Maintenance**
- 3. Approval of a Resolution Approving an Agreement with Municipal GIS Partners, Inc. for GIS Support Services**
- 4. Approval of a Resolution to Authorize the Execution of a Contract with F.E. Moran of Northbrook, Illinois for the Replacement of the Village Hall Boiler in an Amount Not-to-Exceed \$95,600**

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

Upon Roll Call the results were:

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

NAYS: None

The motion passed.

### **Regular Business**

#### **5. Consideration of a Resolution Granting Preliminary Approval of a Special Use for a Planned Unit Development, with Zoning Modifications and Approval of a Preliminary Plat of Subdivision to Permit a Mixed-Use Development at 4500-4560 West Touhy Avenue and 7350 North Lincoln Avenue**

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

At the November 6, meeting, the Board requested that the attorney draft this Resolution.

Attorney Elrod clarified that this Resolution approves the preliminary plan with Tucker to proceed. The next steps include a Village review of an incentive request. A Public Hearing is next.

The Board is scheduled to approve action on these items on Wednesday, January 2.

The attorney was authorized to consider the redevelopment plan. Three Ordinances are under consideration for the TIF.

At some later date the consideration of the final plan will come up.

Motion to approve Resolution was made by Trustee Hlepas Nickell, seconded by Trustee Patel.

Upon Roll Call the results were:

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

NAYS: None

The motion passed

#### **6. Public Hearing Regarding the Establishment of the North Lincoln Redevelopment Project Area and Tax Increment Redevelopment Plan and Project**

President Bass stated that this agenda item concerns a public hearing in connection with the creation of the proposed North Lincoln TIF District. In accordance with the Illinois Tax Increment Finance District Act, a public hearing must be held by the Village Board of Trustees prior to the consideration of a redevelopment plan and project for a TIF District.

Notice of a public hearing regarding the proposed redevelopment plan and project has been properly published for this evening. Specifically, as required by law, notice was:

- (1) published twice in the *Lincolnwood Review*; and
- (2) sent by certified mail to all property owners located within the proposed district; and
- (3) mailed to all residents located within 750 feet of the proposed district boundaries; and
- (4) mailed to all overlapping taxing districts

Therefore, I will now open the public hearing before the Village Board of Trustees.

President Bass asked the Clerk to please call the roll.

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

A quorum was present.

#### PART I

I will now call upon our Director of Community Development to introduce the proposed redevelopment plan and project, and summarize the recommendation of the Joint Review Board.

Mr. McNellis presented an aerial view of the property.

Mr. McNellis stated that the bank building, its parking area and Nunos will no longer be part of the new TIF.

#### Background

- Existing Lincoln-Touhy TIF established in 2011, and later amended in 2014 to include additional property
- Purpose – to provide the Village with the ability, and a financing method, to help carry-out redevelopment activities in the designated area
- Since 2011, decline in EAV below “Base EAV” and consideration of long term financial health of this TIF led to a determination that this TIF should be terminated and a new TIF enacted, with contracted boundaries and different land uses (Residential)
- In June 2018, the Village Board authorized Kane, McKenna and Associates (KMA) to complete an eligibility study for this proposed new TIF
- KMA prepared a report which confirmed the eligibility of the proposed North Lincoln TIF

#### North Lincoln TIF – Joint Review Board

- October 31, 2018 – TIF Joint Review Board (JRB) convened to discuss the proposed Redevelopment Plan and Project, and its eligibility for TIF designation
- After discussion, the JRB approved a Resolution recommending approval of the Redevelopment Plan and Project for the North Lincoln Redevelopment Project Area, by a vote of 4-2, with one abstention

#### TIF Funding Request

- Tucker Development Group working with the Village on a mixed-use project in the proposed North Lincoln TIF
- Proposal is for \$31 million in financing through TIF Bond and two Developer’s Subordinate Notes (all payable through TIF increment, with no financial backing of, or risk to the Village)
  - ^ \$25,000,000 in tax exempt revenue bonds with no financial risk to the Village
  - ^ \$5,000,000 Developer Subordinate Note
  - ^ \$1,000,000 Subordinate Note to the Hotel Developer
  - ^ Requested Rebate of Hotel Tax – appropriate percentage is under negotiation by Tucker Development Group and the Village Negotiating Team
- Redevelopment Agreement will be brought to the Village Board for consideration in conjunction with approval of the new North Lincoln TIF

## PART II

We will now hear testimony from Bob Rychlicki of Kane McKenna & Associates, the Village's finance and economic consultant, regarding the proposed redevelopment plan and project.

### Redevelopment Project and Plan

#### Background:

- The Lincoln Avenue Corridor has been identified by the Village, through the comprehensive planning process, as a focus area for economic development efforts
- Several key assets for the area exist including proximity to the I-94 Expressway, high traffic counts and the potential for “walkability”
- Despite these assets, many parcels remain underutilized, and the Village does not anticipate the area would be developed in a coordinated manner without a TIF Redevelopment Plan

A boundary map was exhibited

#### Objectives:

- Reduce or eliminate blight or other negative factors present within the area;
- Coordinate redevelopment activities within the RPA in order to provide a positive marketplace signal to private investors
- Accomplish redevelopment over a reasonable time period;
- Create an attractive overall appearance for the area;
- Further the goals and objectives of the Comprehensive Plan

The TIF Plan complies with key legal provisions of the TIF Act, including, but not limited to:

- The TIF Plan conforms to the Village’s Comprehensive Plan
- The Redevelopment Project Area consists of contiguous parcels and exceeds 11/2 acres
- The “But-for” requirement is met – Redevelopment is feasible, only with the utilization of tax increment financing, as documented in the TIF Eligibility Report

### TIF Mechanism

#### Review of Tax Increment Financing (TIF)

TIF splits property tax revenue generated within the area into two components

1. Base Revenues for all Local Governments
2. Increment Revenues for Redevelopment within the TIF

#### Review of Tax Increment Financing (TIF)

Ideally, a successful TIF District produces positive incremental revenue over time

### Qualifying Factors – Conservation Area

Conservation Area: An area where, due to the presence of at least 3 of the qualifying factors, blight could potentially become present

An area qualifies as a conservation area if:

- 50% or more of the buildings within the area are at least 35 years or older; AND
- 3 or more of the 13 qualifying factors are found to be present and distributed to a meaningful extent

Charts were exhibited indicating that the area in question qualifies.

Key Elements of TIF Plan

The TIF Budget:

- The 2017 base EAV for the proposed TIF District is estimated to be \$3,882,66634
- Upon completion of the anticipated private development of the RPA over a 23 year period, it is estimated that the EAV of the property within the RPA would increase to approximately \$45,000,000 to \$55,000,000 depending upon market condition and the scope of redevelopment projects
- The total estimated TIF budget is \$55,165,000**

<i>Program Actions/Improvements</i>	<i>Estimated Costs</i>
Land Acquisition and Relocation	\$2,267,000
Site Preparation (including environmental remediation, demolition and site grading)	\$5,290,000
Utility Improvements (water, storm, sanitary sewer, service of public facilities, road Improvements)	\$16,248,000
Public Improvements/Facilities and Parking Structures	\$21,915,000
Rehabilitation of Existing Structures	\$2,267,000
Interest Costs Pursuant to the Act	\$2,645,000
Professional Service Costs (planning, legal, engineering, administrative, annual Reporting and marketing)	\$2,040,000
Job Training	\$453,000
Statutory School and Library District Payments	\$2,040,000
<b>Total Estimated TIF Budget</b>	<b>\$55,165,000</b>

PART III

I now will entertain questions from the Village Board. After that, I will call on any member of the public that desires to be heard on this matter.

Trustees Patel, Cope and Hlepas Nickell offered questions and clarification on some areas.

PART IV

At this time, we will now take public comment on the proposed redevelopment plan and project. Has the Clerk received any written comments or objections from any member of the public?

None Received.

President Bass asked if the Village staff received any written comments or objections from any taxing district having property within the proposed Redevelopment Project Area?

None Received.

President Bass asked if there is anyone present who wishes to offer comment or testimony regarding the proposed redevelopment plan and project?

None offered.

**Close Hearing**

President Bass stated he would now entertain a motion to close the public hearing.

Trustee Patel moved to close the Public Hearing seconded by Trustee Hlepas Nickell.

The motion passed with a Voice Vote.

President Bass stated the public hearing is now closed. The final adoption of ordinances approving the proposed redevelopment plan and project, establishing the North Lincoln Redevelopment Project Area, and adopting TIF financing for the area, will be scheduled for consideration by the Village Board at an upcoming meeting to be held between 14 and 90 days from now.

Attorney Elrod stated that the next step would be:

Consideration of the TIF Ordinance for Final Approval, which will be on the agenda of the Village Board Meeting of January 2, as will a resolution regarding the development plan.

## **7. Consideration of a Recommendation by the Plan Commission to Approve an Ordinance Approving a Zoning Code Text Amendment Related to the Permissibility of Ice Rinks**

This item was presented by Mr. Hammel using PowerPoint.

### Background

Table 3.10.01 of the Zoning Code restricts the permitted location of “tennis courts, volleyball, basketball, shuffleboard and other courts, private”

- Permitted in rear yard only
- Must be setback from all lot lines at least 10’ or minimum required setback, whichever is greater

In winter of 2017 – 2018 two known instances of non-compliant ice rinks

- “Ice rinks” are not explicitly restricted as per Table 3.10.01
- Staff interpreted “ice rinks” as qualifying as “other courts”
- Ambiguity in code made it difficult for staff to enforce its interpretation

### Plan Commission Discussion

- Concurred that ice rinks could fall within existing regulations, but clarification is warranted
- Concerns about having rinks in highly visible portions of residential properties
- Concurrence that 10’ setback would allow for the management of water runoff
- Did not want to specifically define or regulate components of ice rinks
- Permitted location was the primary point of discussion
- \* Depending on permitted locations, ice rinks should be a separate line item in Table 3.10.01

#### • Motion #1:

- \* Ice rinks can be located on any part of a lot
- \* 10’ setback from all lot lines
- \* Must meet required building setbacks
- \* Include general definition of “ice rink” in Section 2.2

Motion failed by a 5-2 vote based on dissenting opinion that permitted locations should be more tightly restricted

#### • Motion #2:

- \* Ice rinks can be located in rear yard only
- \* 10’ setback from all lot lines
- \* Must meet required building setbacks
- \* Include general definition of “ice rink” in Section 2.2

Motion failed by a 3-4 vote based on dissenting opinion that corner side yards should be a permitted area as well

#### • Motion #3:

- \* Seasonal ice rinks can be located in rear yard and corner side yard only
- \* If in corner side yard, must be screened by evergreen landscaping at least as tall as the structure of the ice rink
- \* 10’ setback from all lot lines

- \*Must meet required building setbacks
- \*Include general definition of “ice rink” in Section 2.2

Motion passed by a 6-1 vote. Dissenting vote was based on opinion that ice rinks should be permitted on any part of the lot.

Recommended Text Amendments

Add the following definition of “ice rink” to Section 2.02 Definitions of the Zoning Ordinance:

- “a level area of ice that is kept frozen for people to skate on”

Add the following line item to Table 3.10.01 of the Zoning Code:

- “Ice rinks, seasonal, provided not less than 10 feet from any property line or the minimum setback, whichever is more restrictive, and when located in a corner side yard, screened by evergreen plant materials with a height at least as high as the structure used to enclose the ice rink

Revised Text Amendments

Add the following definition of “ice rink” to Section 2.02 Definitions of the Zoning Ordinance:

- “a level area of ice that is kept frozen for people to skate on”

Add the following line item to Table 3.10.01 of the Zoning Code:

- “Ice rinks, seasonal, provided not less than 10 feet from any property line and, when located in a corner side yard, screened by evergreen plant materials with a height at least as high as the structure used to enclose the ice rink”

Requested Action

Approve an Ordinance related to the following Zoning Code Text Amendments:

- Add a definition of “ice rink” to Section 2.02 Definitions
- Add the following line item to Table 3.10.01 of the Zoning Code  
“Ice rinks, seasonal , provided not less than 10 feet from any property line and, when located in a corner side yard, screened by evergreen plant materials with a height at least as high as the structure used to enclose the ice rink”

Discussion ensued with Trustees Patel, Nickell, Cope and Sugarman participating. Mr. Hammel stated that this is an improvement on the current ordinance. The Village has increased the ability for residents who wished to have ice rinks on their property. Permissibility will be clarified. Trustee Sugarman noted that barring ice rinks from fronts of property is an issue of aesthetics.

Motion to approve the Plan Commission recommendation was made by Trustee Patel, seconded by Trustee Hlepas Nickell.

Upon Roll Call the results were:

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

NAYS: None

The motion passed

**8. Consideration of a Resolution Authorizing the Execution of a Consultant Services Agreement with Christopher B. Burke Engineering, Ltd. of Rosemont, Illinois for Phase II Engineering Services Related to the Street Storage – Stage II Project in the Amount of \$289,522**

This item was presented by Mr. Letson with PowerPoint.

### Background

The Stormwater Master Plan (SMP) identifies 10 projects to bring the sewer system to a 10-year level of protection

- Current system provides a 2-3 year level of protection  
November 2017 SMP Update Workshop
- Staff presented an update on the pilot project that was constructed in 2016
- Village Board directed Staff to pursue grant funds for the North Shore Outfall Sewer and pursue design of the next stage of street storage\*
  - \*Projects #1 and #2 out of the 10 identified in SMP
  - \*Current Action

Engineer's Recommended Project Priority List was presented which included Priority, Project #, Description, Cost (in 2012 Dollars), Homes Protected, and Cost per Home.

The Grand Total (in 2012 dollars) was \$33,631,216.

### Background

September 20 & October 16, 2018 Committee Of the Whole

- North Shore Outfall Sewer project awarded MWRD funds for construction (\$1.4 million)
- Existing Water/Sewer revenue is sufficient to fund operations, but not the proposed projects
- Funding Options
  - \*New User Charge
  - \*New Fixed Fee
  - \*Property Tax Levy
  - \*Home Rule Sales Tax Increase – Preferred Option

A map of stormwater projects was exhibited showing Project, Construction Year, Total Cost, Bond Amount and Annual Debt Service.

It should be noted that:

- 0.25% increase in Home Rule Sales Tax is estimated to generate \$5000,000 in revenue
  - \*Sufficient to fund North Shore Outfall and Street Storage – Stage II
- Staff will return with the necessary approval documents at a future meeting

### Street Storage – Stage II

#### Engineering Services Solicitation

September 7, 2018 – Village Issued a Request for Qualifications/Proposals (RFQ/P)

- RFQ/P sent to 16 engineering firms

September 27, 2018 – One statement of qualifications (SOQ) was received

- Christopher B. Burke Engineering, Ltd. (CBBEL)
- Staff reached out to other firms and they stated they did not submit due to a lack of experience performing similar projects or the project not fitting in their schedule due to other workload

Review Committee reviewed the SOQ

- Technical Approach
- Firm Experience
- Staff Capabilities
- Past Performance
- Work Load Capacity

Street Storage – Stage II  
Engineering Services Selection

Review Committee found CBBEL to be qualified to perform the project

- CBBEL demonstrated a strong history of successful stormwater projects
- CBBEL completed the design of the pilot project and oversaw construction
- Project staff is very qualified and has experience with Village projects

Based on the Review Committee’s finding, the sealed cost proposal was opened

- \$289,522 (\$300,000 is budgeted)

Recommended Motion

Move to approve a Resolution authorizing the execution of a consultant services agreement with Christopher B. Burke Engineering, Ltd. of Rosemont, Illinois for engineering services relating to the Street Storage – Stage II project.

Trustee Patel moved to approve the Resolution; there was no second.

Trustee Cope stated that he would like to have more regarding the finances of these projects. At this point we don’t know if this will be a success. Different homeowners have different needs for their flooding issues.

Trustee Patel opined that this has been a concern for a long time. Our professional engineers have provided advice. Can Mr. Letson provide us with more information?

Thomas Burke said without a doubt the street storage is working.

Trustee Patel feels that this is not really putting the Village in debt. It is handling of a long standing problem and managing the needs of the Village.

President Bass has made a study of nearby communities and all came to the conclusion that this is the direction to go.

Trustee Hlepas Nickell stated that we owe it to the resident to provide relief at this time.

Trustee Patel restated his previous motion to approve the Resolution, seconded by Trustee Spino.

Upon Roll Call the Results were:

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

NAYS: Trustee Cope

The motion passed.

**Manager’s Report**

Interim Manager Merkel announced that Village Hall will be closed for the Thanksgiving holiday. Village Hall will reopen on Monday.

**Village Clerk’s Report**

All went well on Election Day. We await the numbers from the County.

**Trustees Reports**

Trustee Hlepas Nickell gave a report on CORB. Residents should please submit issues.  
Trustee Hlepas Nickell thanked Staff, Police and Fire for their services and their hard work.

**Public Forum**

None

**Adjournment**

At 8:25 PM Trustee Patel moved to adjourn the meeting to Closed Session for the purpose of discussing Employment Matters Per Section 2(c)(1), seconded by Trustee Cope.

Upon Roll Call the Results were:

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

NAYS: None

**Reconvention**

At 9:46 PM Mayor Bass reconvened the Regular Meeting.

**Adjournment**

At 9:47PM Trustee Spino moved to adjourn the Regular Meeting, seconded by Trustee Ikezoe-Halevi.

The motion passed with a Voice Vote

Respectfully Submitted,



Beryl Herman  
Village Clerk