

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
COMMITTEE OF THE WHOLE MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
MAY 21, 2019**

**Call to Order**

President Bass called the Committee of the Whole meeting of the Lincolnwood Board of Trustees to order at 6:04 P.M., Tuesday, May 21, 2019, in the Council Chambers of the Municipal Complex, 6900 North Lincoln Avenue, Village of Lincolnwood, County of Cook and State of Illinois.

On roll call by Village Clerk Beryl Herman the following were:

PRESENT: President Bass, Trustees Cope, Patel, Ikezoe-Halevi, Klatzco, Sargon

ABSENT: Trustee Hlepas Nickell

A quorum was present.

Also present: Village Manager, Anne Marie Gaura; Assistant Village Manager, Chuck Meyer; Public Works Director, Andrew Letson; Director of Community Development, Steve McNellis; Community Development Manager, Doug Hammel.

**Approval of Minutes**

The minutes of the April 16, 2019 and the May 7, 2019 Committee of the Whole were presented to the Village Board.

Trustee Ikezoe-Halevi moved to approve the minutes as presented, seconded by Trustee Klatzco.

The motion passed by Voice Vote.

**Regular Business**

1. **Discussion Regarding Interpretation and Potential Text Amendment Related to the Permissibility of "Auto Service or Gas Station" Uses in the B1 Traditional Business Zoning District (6734 North Lincoln Avenue)**

This item was presented by Mr. McNellis.

A rendering of the area involved was exhibited.

**Proposed Use**

\*7 – 11 Convenience Store, with eight gasoline fueling pumps to replace the existing Meatheads Restaurant

- Owner notes the restaurant has not performed sufficiently well to remain in this location long-term
- Owner also notes new restaurant use has been sought to replace existing Meatheads Restaurant with no success
- Proposal is to utilize existing restaurant building, enclosing the outdoor seating area on the ground floor

A rendering of the proposed use was exhibited.

### Regulatory Context

“Auto Service or Gas Station” defined as:

*Any building or land used primarily for the dispersal, sale or offering for sale of automotive fuels, oils or accessories, including lubrication of automobiles and replacement of minor parts and accessories, but not including major repair work such as motor replacement or rebuilding.*

“Convenience Store” defined as

*Any retail establishment offering for sale a limited line of groceries and household items intended for the convenience of the neighborhood.*

*“Auto Service or Gas Station” is not Permitted in B-1, “Convenience Store” is Permitted in B-1*

\*Based on information provided by property owner, 7-11 brands themselves as a convenience store first, with 60% of revenues generated inside the store.

\*Based on industry information research, the typical gas station (Mobile, Shell, BP, etc.) generates 70%+ of revenues at the pump.

\*All of the existing nine gas stations incorporate a convenience store use of some size, with several including a significant store footprint size.

\*Physical site characteristics and revenue generation do not provide a clear distinction between the proposed 7-11 and a typical “Gas Station”. Therefore, staff recommends the best use interpretation is to include a 7-11 under the umbrella definition of an “Auto Service or Gas Station”.

Auto Service or Gas Station locations in the Village were identified: Six in B-2 Districts and three in B-1 District.

### Existing “Auto Service or Gas Stations

\*None of the three gas stations in the B-1 District appear to have created significant negative impacts on surrounding properties.

\*All three of those stations appear to have pre-dated a Zoning Code change that removed permissibility from the B-1 District (which is located solely on Lincoln Avenue).

\*Change appears to have occurred after 2005 Lincoln Avenue Corridor Plan which advocated more pedestrian-friendly uses.

\*Previously, gas stations were more auto-oriented (often with service functions), and did not contain the significant convenience store square footage found in stations today.

\*A gas station with a significant convenience store use today may also be used by the pedestrian public, as their local “neighborhood store”.

### Key Policy Questions

1. Does the Village Board agree with staff’s interpretation that the proposed 7-11 is most appropriately interpreted as an “Auto Service or Gas Station” use?
2. If so, is it appropriate to revise the definition of such use to incorporate convenience store uses?
3. Is there support for revising the permissibility of a redefined “Auto Service or Gas Station” use to permit such uses in the B-1 Zoning District?
4. If so, is it most appropriate to consider such uses as Special Uses (as is currently the case in the B-2 District) or as Permitted (as is currently the case in the MB Zoning District)?

### Requested Action

\*Village Board confirmation of staff's interpretation that the proposed 7-11 use is not a "Convenience Store", but rather should be treated as an "Auto Service or Gas Station". With the definition modified to include a convenience use.

\*Secondly, Referral of this matter to the Plan Commission for consideration of Zoning Code Text Amendments to re-define an "Auto Service or Gas Station" use and consider such to be a Special Use in the B-1, Traditional Business Zoning District.

Questions from Trustees.

Petitioners: Mark Bettenhausen of 7-11 and Tom Jednorowicz of Tartan Realty Group.

They would prefer a restaurant on the property, but they are limited as to the type of restaurant. Starbucks looked into this property, but since no drive- thru is possible, they are not interested.

Additional discussion ensued regarding the history of the property and the definitions of convenience store and gas station.

Mr. McNellis requested that this be referred to the Plan commission for definitions.

Consensus was to go forward to the Plan Commission.

## **2. Discussion Regarding Zoning Text Amendment to Permit Veterinary Offices in the B1 Traditional Business Zoning District (6927 North Lincoln Avenue)**

This item was presented by Mr. Hammel using PowerPoint.

Petitioners: Jason Sanderson, RWE Management Co. Design/Build Company and Ross Mahowald, DVM

### Background

\*Table 4.01.1 establishes "veterinarian offices" as a permitted use on the B-2 and M-B zoning districts

Veterinarian's office (also referred to as "animal hospital") is defined as "a building or portion thereof designed or used for the care, observation or treatment of domestic animals"

\*Petitioner is requesting a Text Amendment to allow veterinarian's offices in the B-1 zoning district

Zoning District Boundaries were presented.

### Characteristics of the Proposed Use

\*Hours of operation are anticipated to be:

- 7AM – 7PM Monday through Friday,
- 7AM – 2PM on Saturday, and
- Some Sundays from 10AM – 2PM

\*Provide medical services (i.e. exams, vaccinations, tests, dental services and surgery) to house pets

\*Generally, no overnight boarding of animals except for observation of animals on medications or sedatives after treatment

\*No grooming services would be provided (this would be permitted based on current use regulations)

\*Up to three appointments per hour, approximately 15 appointments per day expected

\*No outdoor operations

#### Considerations

\*Alignment with the Comprehensive Plan:

- B-1 district is designated as “Local/Corridor Commercial” for future land use
- Recognizes that access and visibility is beneficial for office/commercial uses, banks, restaurants, offices, retail, salons, cleaners and service stations

\*Alignment with the Zoning Ordinance

- B-1 district is “*intended to create neighborhood commercial districts which accommodate the retail, service and office uses and lot configurations that are characteristic of the Lincoln Avenue Corridor*”

#### Considerations

\*Permissibility of Similar Uses

- Animal grooming /pet sales” is permitted in the B-1, B-2, B-3 and M-B districts
  - ^Tend to have more significant retail component
- “Office, medical, outpatient only” is permitted in the B-1, B-2, B-3, O and M-B districts
  - ^Does not permit overnight stays with limited exceptions
  - ^Typically appointment-only patient scheduling

\*Other service uses are permitted in the B-1 district

- ^Dry cleaners
- ^Personal service establishments
- ^General professional office
- ^Trade schools

\*Compatibility with neighboring properties

- Parking requirements (3.3 spaces/1,000 SF) are similar to other uses permitted in the B-1 district
- Proposed use would have similar impacts as other permitted uses
  - ^If allowed, other similar uses may include potentially impactful characteristics (i.e. outdoor areas, different hours of operation)
  - ^Special Use review and approval could allow case-by-case assessment and mitigation of potential impacts

#### Requested Action

\*Discussion of the requested Text Amendment to allow veterinarian’s offices in the B-1 zoning district

\*Referral of the matter to the Plan Commission for a future public hearing

Discussion regarding other veterinarians in the area. Questions regarding the construction necessary. Clarification provided by builder.

Trustee Cope asked who owns this property.

President Bass stated that it is a long time Lincolnwood property owner.

The petitioner stated that this will be a clean and odor free facility, much like any dog-friendly.

It is suggested that this go to the Plan Commission, for consideration as Special Use.

Consensus was to do so.

### **3. Update on Police Pension Fund Status**

This item was presented by Jessica Fain, Actuarial Consultant, of Lauterbach & Amen, Certified Public Accountants with use of Power Point.

The following Topics for discussion were identified:

- \*Funding Basics: Actuarial Funding, Liability
- \*Police Pension Fund April 30, 2018 Results
- \*Comparison to Similar Sized Funds
- \*Police Pension Projections

#### Funding Basics

Goal: To accumulate reserves during active working years, in retirement the Fund itself will pay for benefit payments due to retirees.

Liabilities were presented.

#### Police Pension Fund – April 30, 2018

- \*Contribution Requirement & Funded Percentage
- \*Change in Net Position
- \*Expected Benefit Payments
- \*Changes in Contributions
- \*Demographic Changes

#### Comparison to Similar Sized Funds

\*Two Funds were identified compared to Lincolnwood. All three are Police Funds with an April 30 Fiscal- year end and are using 7.00%Rate of Return Assumption

#### Police Pension Projections

- \*Key Projection Assumptions
- \*Market Value of Assets
- \*Funded Percentage
- \*Projected Contributions Over 20 Years – No Additional
- \*Projected Contributions Over 20 Years – Additional 280K
- \*Investment Return Sensitivity – No Additional
- \*Investment Return Sensitivity – Additional 280K

#### General Comments on Investments Risk

- \*Downside Reviewed: 4.00% return on assets.
- \*Upside Reviewed: 10.00% return on assets.
- \*Stability NOT implied in next several years. Markets for 2018 are in current contribution for 2020. Estimated market performance for 2019 would first hit in budget year 2021.
- \*Scenarios are NOT worst case.
- \*Short-Term: Volatility is higher.

\*Long – Term: Holds up in a majority of cases over 20 years (100% S&P 500 20<sup>th</sup> to 80<sup>th</sup> percentile)

\*Results:

^Downside: High average annual increase in contribution (well ahead of inflation + productivity)

^Investment returns are replaced by escalating conditions (so impact on assets appears larger)

#### Limitations and Disclosures

\*The projections have been run on a static basis.

\*The projections are intended to assist in the review of long term funding police, goals, objectives and results under alternative funding strategies.

\*Actual results may vary from projected results based on experience that is different than assumed. Asset returns over various periods may be different than projected. Actuarial liability may vary based on hiring patterns, pay increases that differ from expectations, incidence of disability that are different from expectations or other demographic changes.

\*Projections are a good tool to illustrate a long-term part. The results shown are not intended to imply annual stability in the actuarial measurements. Actual results will be determined by year-by-year on a snapshot basis at fiscal year- end. Assumptions on market returns and demographics are intended to be long-term and will be more volatile over short-term periods.

\* For short-term budget considerations, risk analysis and sensitivity of results to various items could be reviewed separately. Projections of alternative market returns are not prediction of future markets, nor do they represent a worse- case scenario. Alternatives have been included to discuss sensitivity and risk management.

The Trustees had questions and clarification was provided by Ms. Fain and Finance Director Merkel.

Discussion ensued with clarification by Ms. Fain and Mr. Merkel.

Mr. Merkel spoke with some suggestions for additional funding for pension:

Institute a Transfer Tax (for those moving in and out)

Adjust a hotel tax (when we have a hotel)

Gaming Tax (Village would have to approve gaming)

Cannabis Tax (If state approves recreational use)

Some discussion regarding concerns about the future of funding for pension payments.

President Bass stated that we are in good hands. We know that we are proceeding with people who are fiscally careful.

#### **4. Discussion Regarding Application for Board and Commission Membership**

This item was presented by Assistant Village Manager Meyer.

#### Overview

\*Requirements of Board and Commission Members

\*Application Process

\*Review and Consideration by the Village Board

\*Terms of Office

\*Next Steps

### Requirements of Board and Commission Members

\*Have resided within the Village of Lincolnwood for at least one year (12 months) preceding the appointment to the Board or Commission.

\*Are a registered voter

\*Members of the Economic Development Commission need not be residents of the Village.

Because of specific expertise required, only seven of the nine members of the Commission shall be appointed from among the residents of the Village of Lincolnwood

### Application Process

\*The Village will advertise openings on the Village website and social media platforms

\*If someone is interested in a vacancy, it is recommended that applicants:

- Complete an application for consideration
- Submit a resume and cover letter

\*Application to a Board or Commission does not guaranty nomination and/or approval for that Board or Commission

An application form was exhibited.

### Review and Consideration

\*Village President determines if someone will be nominated to a Board or Commission

\*The Village President shall appoint, with the advice and consent of the Board of Trustees, the applicant to the Board or Commission

\*It is recommended that a cover memorandum be provided for each applicant in the Board Packet that includes the following:

Candidate's name

Board of Commission of appointment

Who the candidate will be replacing

Length of term

### Terms of Office

\*The term of each commission member shall be three years. No member shall serve for more than four consecutive three year terms

\*The term of each appointed member of the Police Pension Board shall be two years. No member of the Police Pension Board shall serve for more than four consecutive two-year terms.

\*The term of a member of a commission shall not terminate or expire until that member's successor has been duly appointed confirmed and qualified.

### Next Steps

\*Solicit feedback from the Village Board on the proposed Administrative Protocol and Application for Boards and Commissions

\*Consideration of a Resolution at a future Village Board meeting affirming the Administrative Protocol and Application.

Trustee Sargon queried if we need to look at Boards like 911 and Telecommunications which rarely meet. Should term limitations be rethought?

We might want to consider a waiver on terms for members who are of great value.

Trustee Patel asked for clarification from Attorney Elrod on what action would be required.

Trustee Sargon asked if paper work on prospective Board and Commission members can be reviewed by Trustees.

Trustee Klatzco stated that Board members should participate in the interview process.

Trustee Ikezoe-Halevi spoke of the procedure followed by early HRC members. Terms were staggered so that there were always experienced members.

**Public Forum**

None

**Adjournment**

At 8:00 P.M. Trustee Sargon moved to adjourn Committee of the Whole, 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