

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
COMMITTEE OF THE WHOLE MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
FEBRUARY 18, 2020**

**Call to Order**

Village President Bass called the Committee of the Whole meeting of the Lincolnwood Board of Trustees to order at 6:06 P.M., Tuesday, February 18, 2020 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 all present

ABSENT: None

A quorum was present.

Also present: Anne Marie Gaura, Village Manager; Chuck Meyer, Assistant Village Manager; Heather McFarland, Assistant to the Village Manager; Jon Bogue, Management Analyst; Andrew Letson, Public Works Director; Nadim Badran, Assistant to the Public Works Director; Steve McNellis, Community Development Director; Doug Hammel, Development Manager.

**Approval of Minutes**

The minutes of December 17, 2019 Committee of the Whole meeting were presented for approval.

Trustee Sargon moved to approve the minutes of December 17, 2019, seconded by Trustee Ikezoe-Halevi.

Motion passed with a voice vote.

**Regular Business**

**1. Discussion Regarding Protocols and Procedures for Meetings of the Board of Trustees**

President Bass turned this over to Village Manager, Anne Marie Gaura. Ms. Gaura stated the purpose of these items is how to have meetings run more efficiently. Ms. Gaura stated staff is going to go through the protocols to see if the Village Board would like to make any changes.

Ms. Gaura turned the item over to Charles Meyer, Assistant Village Manager.

Mr. Meyer discussed when the protocols were adopted by the Village Board and how the protocols help the meetings to be governed.

Mr. Meyer noted two proposed changes for the policy which are Presiding Officer, which allows the Village President to appoint a Village Trustee to act as a temporary Chairman for a meeting by sending a notification to the Village Clerk and Village Manager at least two hours prior to the meeting. The second change would be the removal of the requirement that a speaker must state their address before they can speak. Mr. Meyer stated you can ask if they are a Village resident but you cannot ask for their address unless it is a public meeting.

Mr. Meyer went over policy questions for the Village Board to consider. Mr. Meyer asked the Village Board if they wanted to revise or remove the stated time limit in the Protocol that limits members of the Village Board to speak no more than five minutes on a topic. Mr. Meyer also asked if the Village Board wanted to adjust the time limit for public comment.

Mr. Meyer stated that the policy will be in the Village Board handbook and asked if they would like the policy posted anywhere else.

Mr. Meyer also asked the Village Board how should the Protocol be annually reviewed. Mr. Meyer stated that staff's suggestion is that this should be reviewed annually at the second meeting in May. Mr. Meyer stated that by reviewing in May in gives new Village Board members the opportunity to learn the Protocol.

President Bass suggested highlighting on the Speaker Request form how long the public may speak.

Trustee Hlepas Nickell stated according to Robert's Rules of Order it allows more time to speak if the group or Board is less than 12 members. Trustee Hlepas Nickell stated that Robert's Rules are more flexible for groups under 12.

President Bass stated that he felt the Board has been lenient with speaking depending on the crowd.

There was discussion about the five minute rule for Village Board members. Trustee Hlepas Nickell stated she is not in favor of restrictions on Village Board member's time to speak on an item. Trustee Hlepas Nickell stated she felt more conversation is better.

Trustee Klatzco stated his only concern is when a Trustee goes off topic in regards to the time limit.

Mr. Meyer stated that we would need to remove then the time limit as Robert's Rules addresses the issue.

President Bass stated it is good to have a ceiling to give some controls.

Mr. Elrod stated there are two separate rules, one is no member may speak more than once on one subject and the other is no Trustee can speak more than five minutes. Mr. Elrod stated both of them have the ability for the Chair to extend the time.

There was further discussion regarding time limit on speaking.

Trustee Sargon asked about the time allowed for public speakers. President Bass stated that if many people come to speak on a subject he believes they should be able to speak.

Trustee Patel asked about public speaking and allowing people to speak earlier in the agenda.

Trustee Cope stated the problem with letting the public speak earlier that it takes away from the time that the Board should be conducting business. Trustee Cope stated that if the situation arises then let the Board decide at that time if they should speak earlier. Trustee Cope stated that it should be Village business first.

Trustee Sargon stated that she agrees with Trustee Cope.

President Bass stated they will use discretion on when the public speaking should occur at a meeting. President Bass stated the policy should be left in place and then be open to public speaking.

Trustee Patel asked staff to include in the newsletter regarding ability of public speaking at the Committee of the Whole and Village Board meetings to encourage the residents to attend the meetings to speak.

Mr. Meyer stated staff will come back with the proposed changes.

## **2. Policy Discussion Regarding Election Signs and Social Media Communications**

President Bass stated he felt this was early to get into this issue and considers this a quick overview as he felt with the exception of one or two incidents, that last year everything went smoothly with the collaboration between parties to handle the sign locations.

President Bass turned the conversation over to the Ms. Gaura. Ms. Gaura stated this was to build upon the information gathered over the past year. Ms. Gaura stated the goal is, seeing we are not in an election season right now, to go over the material to understand the rules when seeing campaign signs in public right-of-way. Ms. Gaura stated she wanted the Village Board to be aware of how staff handles the removal of those signs.

Ms. Gaura stated the goal is to discuss the public property portion in relation to political signs. Ms. Gaura also stated the goal is to update the protocol.

This item was presented by Doug Hammel, Development Manager, using PowerPoint.

Mr. Hammel stated that the goal of staff is to maintain objectivity toward all political parties and candidates and to fairly and equitably enforce regulations related to campaign activities.

Mr. Hammel stated he was giving the Board the regulatory guidelines so that they will know what codes staff is enforcing and that the Village is held to the Illinois Campaign Sign Regulation Act that establishes size and location of campaign signs.

Mr. Hammel explained how staff tracks the signs and complaints that are received. Mr. Hammel also explained that they contact the designated person for that particular campaign and alert them to the issue in which they have 24 hours to correct the problem.

Trustee Hlepas Nickell stated this should apply for any signs for those in the right-of-way of the expressway. Trustee Hlepas Nickell also asked if staff picks these up regularly. Mr. Hammel stated that it is currently enforced and those signs are removed by staff.

There was discussion on election signs on the corner lot property as well as on private property.

Mr. Hammel clarified that if there are three candidates on a sign then there can be three signs. Mr. Hammel stated that is how they have been handling some of the enforcement.

There was further discussion regarding political signs on a corner lot. Trustee Patel stated that if we want staff to enforce then we have to be clear with the guidelines for enforcement otherwise staff will have no real clear direction.

Trustee Cope stated we are talking of private property and this is protected by free speech. Mr. Elrod stated that Mr. Hammel is talking about signs on public right-of-way.

There was further discussion regarding political signs on public and private property.

Mr. Elrod stated there have been cases and statutes regarding the limits of municipalities to enforce on private property. Mr. Elrod stated when dealing with private property we are significantly prohibited.

Mr. Hammel stated that most of the compliance issues has to do with signage on public property.

Ms. Gaura stated one of the things found last election cycle, if a sign was improperly placed, staff was not dealing with the property owner but with the designated person for that candidate. Trustee Hlepas Nickell stated that isn't right to waste staff time, that the home owner should just remove the sign and toss it.

President Bass stated that if it is close to the property line to show some leniency on this because the volunteers are unaware of the guidelines.

There was further discussion regarding the location of signs and lot lines.

Mr. Hammel stated at the beginning of the last election cycle there was no clear direction for the staff and after working with the Village Attorney and the Manager's office staff found some workable guidelines and this is what staff is presenting.

Ms. Gaura stated from staff perspective, what was presented works for staff in regard to enforcement. Ms. Gaura stated that if the Board has no issues or other direction, what was presented is what works best for staff regarding enforcement.

There was further discussion over enforcement.

Mr. Elrod stated he would discuss further with staff as to whether or not staff can enforce more than one sign for a candidate in light of a recent Supreme Court case.

Mr. Hammel stated the clearer standard for staff is the size of the sign and their setback from the curb.

There was further discussion about the removal of signs following an election. Mr. Hammel stated the signs cannot stay longer than five days after the election. Mr. Elrod stated that staff can reach out to the candidate to remove the signs but only those in the right of way.

There was further discussion about sign complaints.

Ms. Gaura stated that her goal was to bring the policy to the Village Board to weigh in so that the next local election staff will have direction.

Mr. Elrod stated what the village manager is doing is quite prudent. Staff wants to respond to constituents regarding complaints, including those from a Village Board member.

Trustee Sargon stated she appreciates staff bringing this forward now and not waiting until it is an election season.

Mr. Hammel stated wanted to highlight one particular instance. Mr. Hammel stated that more often you see political signs in a commercial parkway that staff would not proactively remove this but rather notify the political party representative to remove the signs in the parkway. It is more effective and less offensive than if Village staff were to remove the signs.

Trustee Hlepas Nickell suggested that once the candidates have filed their papers to have an informational meeting with the candidates regarding signage. Mr. Hammel stated that would be fine but noted the problem is generally not the local candidates.

There was further discussion.

Ms. Gaura stated it is a complaint driven process.

Trustee Patel stated we shouldn't have anything in our code that we are not going to enforce.

There was further discussion regarding having rules and possibly not enforcing them.

Trustee Patel stated considering the possibility of removing political signs from the code and have the State be responsible for it. Trustee Hlepas Nickell concurred with Trustee Patel. There was further discussion.

Trustee Klatzco stated that he thinks his suggestion of political signs 20 ft. from the curb line would help with a lot of the complaints.

Ms. Gaura asked the Village Board if staff should proceed forward with what was done last time or if they wanted to make changes to the policy.

Trustee Cope stated staff should do what they did last year.

Trustee Klatzco stated he agreed that staff should follow last year's guidelines.

Trustee Patel asked if anyone was in favor of removing signs from the code completely.

President Bass stated the police should be left in place.

Trustee Hlepas Nickell agreed with Trustee Patel on removing from the code and letting the State handle complaints about political signs.

Trustees Patel, Klatzco, Cope and Ikezoe-Halevi were in favor of enforcing the rules we have.

Trustee Sargon stated that we have rules and we should either enforce them or leave it to the State.

Ms. Gaura stated that with the discussion of the upcoming election came the topic of staff photos on political websites. Ms. Gaura turned the item over to Mr. Elrod for the discussion of the use of staff photos for political purposes.

Mr. Elrod stated the question that was presented to him was what can the Village do about the use of staff photos ending up in candidate's materials. Mr. Elrod stated the Village cannot nor should not do anything as it is not a Village issue and that the First Amendment comes into play. Mr. Elrod stated this is an issue between the individual and the candidate, and the Village should not be involved in the issue.

Ms. Gaura stated that she would advise staff is that there are times at public events where there are group photos taken and to be aware that the group photo can be used at any time. Ms. Gaura stated that staff is non-political and are here to serve the public.

### **3. Discussion Regarding Referral of Electronic Message Center Sign Permissibility in the P Zoning District**

This item was presented by Steve McNellis, Community Development Director, using PowerPoint.

Mr. McNellis stated this item was being brought forward based on the feedback by the Park Board. Trustee Hlepas Nickell asked if staff asked the Park Board to review this item or if the Park Board requested to review. Mr. McNellis stated it was a direction that was given by the Village Board at a previous meeting to have the Park Board weigh-in on the topic.

Mr. McNellis went over the background and the zoning requirements for the signage. Mr. McNellis stated that what the Village Board is being asked is if this item should be referred to the Plan Commission in regarding to zoning. Mr. McNellis stated this is not for a current sign request, just a referral to the Plan Commission for a Public Hearing to consider it as a Special Use in the P Zoning District.

Trustee Sargon stated she is in favor of a referral. Trustee Hlepas Nickell stated she has no interest in referring this as she feels it ruins the mystic of the Village. Trustee Sargon reiterated that she would be okay with referring it as it would be a Special Use. Trustee Cope stated he is not in favor of having electronic signs in the park. Trustee Ikezoe-Halevi stated that she agrees with Trustee Sargon. Trustee Klatzco stated it is a great idea because it is another way to keep the community informed. Trustee Patel stated he would be in favor of referring the item to the Plan Commission. President Bass stated there was consensus to send it to the Plan Commission as a Special Use.

#### **4. Discussion Regarding Smart Grid Initiatives, Eco Conservation and Renewable Energy with Metropolitan Water Reclamation District**

President Bass stated that a member of MWRD will be here at a future Committee of the Whole to present this item.

#### **Public Forum**

None

#### **Adjournment to Closed Session**

At 7:22 P.M. 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 Klatzco.

Upon roll call the results were:

AYES: Trustees Patel, Klatzco, Ikezoe-Halevi, Cope, Hlepas Nickell, Sargon

NAYS: None

The motion passed

#### **Reconvention**

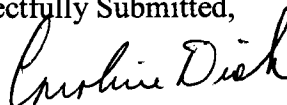
At 7:34 P.M. Mayor Bass reconvened the Committee of the Whole Meeting.

#### **Adjournment**

At 7:34 P.M. Trustee Sargon moved to adjourn Committee of the Whole, seconded by Trustee Hlepas Nickell.

The motion passed by Voice Vote.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Caroline Dick".

Caroline Dick  
Deputy Village Clerk