

**VILLAGE OF LINCOLNWOOD  
PRESIDENT AND BOARD OF TRUSTEES  
SPECIAL MEETING  
MEETING HELD VIA GOTO MEETING AND  
AVAILABLE LIVE AT WWW.LINCOLNWOODIL.ORG/LIVE-CABLE-CHANNEL/  
MAY 27, 2020**

**Call to Order**

President Bass called the Special Meeting of the Lincolnwood Board of Trustees to order at 4:32 P.M. Wednesday, May 27, 2020, meeting held via GoToMeeting and available live at WWW.LINCOLNWOODIL.ORG/LIVE-CABLE-CHANNEL/, County of Cook, and State of Illinois.

**Pledge to the Flag**

The Corporate Authorities and all persons in attendance stood and recited the Pledge of Allegiance.

**Roll Call**

On roll call by Deputy Village Clerk Heather McFarland the following were:

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

ABSENT: Trustee Cope

A quorum was present.

Also present: Anne Marie Gaura, Village Manager; Chuck Meyer, Assistant Village Manager; Hart Passman, Village Attorney; Heather McFarland, Assistant to the Village Manager; Jon Bogue, Management Analyst; Doug Hammel, Development Manager; Steve McNellis, Community Development Director; Robert Merkel, Finance Director; Jay Parrott, Police Chief; Anna Koperski-Walsh, Superintendent;

**President's Report**

None

**Consent Agenda**

None

**Regular Business**

1. Consideration to Adopt a Resolution Authorizing Outdoor Operations by Restaurants during the COVID-19 Pandemic

This item was presented by Steve McNellis, Community Development Director. Mr. McNellis clarified that the Resolution shared with the Village Board had the incorrect title on it and that the Resolution was updated to reflect the proper name for the Resolution.

President Bass asked Mr. McNellis if there was anyone else present for this item. Mr. McNellis stated that representatives from Lincolnwood Town Center Mall, Stefani Restaurant Group and Lettuce Entertain You were present to discuss this topic.

## Background

- Village currently permits on-site outdoor seating for restaurants, under certain basic regulations, administratively.
- With the recent announcement that the Governor will permit outdoor operations for restaurants with transition into Phase 3, expected this Friday, there is an opportunity for restaurants to open in some form.
- However, many restaurants don't have the appropriate infrastructure or space to provide outdoor seating.
- The Governor encouraged communities to "get creative" and many communities are considering allowing outdoor restaurant seating in parking lots, as well as street closures.
- Staff believes the use of parking lots for outdoor seating can be achieved while meeting the spirit and intent of Codes.

## Street Closures

- Staff has considered this possibility, but find that the layout of Lincolnwood is not conducive to this:
  - Most restaurants are on IDOT-controlled arterial roadways, which cannot be closed.
  - Side streets adjacent to restaurants lead directly to residential areas and their closure would be impactful.
- Most communities considering such temporary street closures have true "Downtown" or "Main Street" areas that are locally-controlled and are part of a larger central community area where street traffic could be easily re-routed without impacting residential areas (i.e. Evanston, Glencoe, etc.)

## Regulations to be Considered

- Must meet outdoor seating requirements
- No physical interference with site
- No disturbance of neighboring properties (sound, live music)
- Location on a Right-of-Way
- Hours when next to residential properties
- Neighbor notification in setbacks
- Parking ratio requirement
- Ingress/Egress and ADA requirements
- Reduction of outdoor space when indoor dining is permitted
- Compliance with official authority protocols and guidelines
- Multi-Tenant building permissibility
- No outdoor cooking or bar
- Waivers of Liability

Mr. McNellis presented examples of outdoor seating area arrangements for the Village Board's consideration along with a discussion of the possible impacts to neighbors.

In concluding the presentation, Mr. McNellis said that Niles would have a no fee permit, which is what the Village would be proposing, and Morton Grove has a registration that is needed but no permit and Skokie is allowing it without permit and is not restricting a ratio in regards to parking and is relying on businesses to provide guidance on parking needs.

The Mayor then opened up the meeting for discussion:

- Phil Stefani, owner of Stefani's, spoke and asked if this direction regarding the parking lot usage is for now until June 26<sup>th</sup>, when restaurants may be allowed to resume indoor operations, or if it will be extended beyond that date.

- Mr. McNellis responded by saying that as written, the outdoor seating would be allowed to continue through June 26<sup>th</sup>, but as the operations move inside, the ratio of parking spaces to seats provided must be maintained
- Mr. Stefani stated that the timing is difficult because the restaurant would only have an hour to an hour and half to utilize the space.
- Trustee Patel stated that his recommendation would be to extend this through to the end of the outdoor dining season. In terms of the hours for uses, he stated that he would want to have staff look at a case by case basis to ensure it doesn't impact neighbors. Trustee Patel added that he could see the business community having concerns for onerous restrictions.
  - Mayor Bass asked Trustee Patel if it was fair to say that he would be more in line with the Morton Grove model for registration and not requiring a permit process.
  - Trustee Patel said that he would be in more support of what is being done in Morton Grove and Skokie.
- Trustee Cope state that he would be interested in hearing from restaurant operators in terms of what they think they could do safely. He said that he was in support of the registration option as opposed to the permit process proposed. He added that it would be interesting to hear what, ideally, could be done with respect to lighting and approaches that allows for more normal of an operation than just sitting outside, so he'd want to hear from restaurateurs about what they could do safely.
  - Mr. Stefani stated that from the standpoint of the safety issue, he knows what needs to be done, and that his sanitation staff is ready to go. He stated that they are providing the supplies to tables to ensure the safety of the clientele and staff. He added that the unfortunate part is the unknown and if the public will also come out. They are anxious to put up these tents and so forth and then we put in this effort and have an empty space. He continued that they understand the social distancing requirements and that it may not be feasible to control the situation with just one big tent. He then added that they need to be cognizant for how these are set up, the distance apart, and the guidelines that need to be enforced concerning exiting and social distancing. He stated that he is taking appropriate steps to provide masks, disposable menus and other PPE to address these issues.
- Peter Abraham, General Manager for the Lincolnwood Town Center Mall, stated that they plan to continue to be excellent civic partners and will try to adhere to the guidelines, and hope for a red tape free atmosphere to allow their tenants to use this area to its full potential. He stated that it was their main focus is to get this up and running and feel that restoration will come soon thereafter.
- Mr. Stefani added that since they've had valet parking, they've had the ability to stack cars, and that stopping the use of valet will impact their parking ability. As it is currently allowed, they can put 12 tables and that could be as few as 24 people with all two-tops; he is concerned that the parking issue may impact his operations.
- Mayor Bass stated that he was eager to have the Village work with these businesses to allow for this situation to occur.
- Trustee Klatzco disclosed that he has a restaurant in Lincolnwood, but stated that it wouldn't be impacted by this. Trustee Klatzco stated that he is in support of a registration effort and that the hours of operation should match the hours of the restaurant's operation, and that the Village

should limit restrictions and allow outdoor dining throughout the summer season. In terms of parking, he stated that the Village should work with restaurateurs to address the concerns and issues.

- Trustee Sargon stated that she is open to the proposal, but he would like to have staff be able to provide guidance in terms of how much space is used for outdoor dining. She stressed the importance to provide flexibility and to guide restaurants through the process, and to avoid possible issues with negatively impacting residents. She continued that she would want to have restaurants check in with staff. She stated that she would support outdoor dining through the season.
- Mr. Stefani brought up the discussion of hours and that he is flexible with that, but would want to bring it up with residents.
- Trustee Hlepas Nickell stated that she is in support of the registry and having flexibility in terms of hours and space. She opined that the Village is fortunate to have good fine dining establishments. She identified three questions that she wants to be addressed:
  - 1) That there are assurances that the Village publishes a hotline or method for people to reach out with complaints about outdoor seating.
  - 2) That the Village concentrates on the barriers for some of these areas, given different configurations, to ensure that there are barriers between the parking and dining areas.
  - 3) That the Village controls sanitation and pest control concerns for the areas to ensure that there isn't a negative impact as a result of having the outdoor dining.
- Trustee Hlepas Nickell noted that locations like Green Bay have already opened to outdoor dining, and that people were itching to come out. She expressed support for and good luck for Village restaurants a lot of luck, and that she wants to make sure that the Village reaches out to neighbors and make sure that they are aware of the outdoor dining rules.
- Mr. Stefani suggested that the Village should get the letters out to neighbors where there are restaurants nearby and explain the reasoning for allowing the outdoor seating. They've been here for two years and have always worked with the neighbors. They also don't see Stefani's as a late-night spot. Mr. Stefani added that he believes that policing is his responsibility and that he is able to address the issues with his neighbors.
- Trustee Ron Cope stated that he agrees and that the Village has a responsibility to make sure that things are safely run and that is why he asked how businesses are being conducted across the country. Trustee Cope added that he thought it would be useful to get an idea of how other areas of the country are operating. He said that he is in favor of allowing whatever can be allowed safely. In regards to the mall, he wasn't sure how they could operate since everything is indoors. He opined that the Village should remain informed about future state law changes, and that there appear to be safety measures in place and to give them the opportunity to operate in a safe manner. Trustee Cope concluded that the Village should strive to help these businesses.
- Trustee Patel stated that the timing could be done on a case by case basis and flexibility is key, and that multiple unit tenants may require more leeway to staff to address these questions. This may be something for which the Village needs to assign someone to serve as the ombudsman for issues. Trustee Patel stated that now, more than ever, the Village needs to be accessible on the phone and to be able to be on-site, and to demonstrate flexibility and allow businesses to

come up with their own solutions that will work. He re-iterated the importance of allowing outdoor dining through the summer season, and that the Village should provide restaurants the opportunity to realize a return on their investment. Trustee Patel said that he was glad that it sounds like the Board is on board with this, and that the business community is on board as well.

- Trustee Ikezoe-Halevi said that she agrees with having a registry and with extending the seating to Phase 4 to help the restaurants. She added that the Village supports its restaurants. Trustee Ikezoe-Halevi added that the Village should also be flexible with hours of operation. She asked Director McNellis how many restaurants have expressed an interest in outdoor dining.
- Mr. McNellis answered that the two restaurants that Staff has heard from are Psisteria and Stefani's. Staff has reached out to the businesses that would possibly consider this or benefit from it.
- Mayor Bass asked if there was someone who would want to make a motion for a resolution on this item.
- Trustee Patel made a motion to allow for a registry to allow for a broad authority to staff to implement this for staff.
- Hart Passman, Village Attorney, recommended that the Board direct the Village Attorney and Staff to revise the proposed resolution consistent with the Board's discussion, for presentation at the Board's next regular meeting on June 2. He suggested that Staff could begin implementation in the interim period. He noted that Staff believed that Section 3 of the proposed resolution should be retained, in order to facilitate outdoor dining in off-street parking areas..
- Trustee Patel made the motion to direct the Village Attorney to draft a revised resolution for consideration on June 2, in accordance with and consistent with the Board's discussion this evening.
- Trustee Hlepas Nickell asked to confirm that concerns related to sanitation be addressed. Trustee Sargon clarified that she had spoken on this item and that the Village's current Code allows for guidance on sanitation.

Trustee Hlepas Nickell seconded the motion.

Deputy Clerk Meyer called the roll.

Upon Roll Call the Results were:

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

NAYS: None

The motion passed.

#### **Manager's Report**

None

#### **Board and Commissions Report**

None

**Trustees Reports**

None

**Clerk's Report**

None

**Public Forum**


President Bass asked Deputy Village Clerk Meyer if there were any public comments. Mr. Meyer stated there were none.

**Adjournment**

At 5:39 P.M. Trustee Cope made a motion to adjourn the Village Board meeting, seconded by Trustee Hlepas Nickell.

President Bass announced that the Village Board meeting is adjourned.

Respectfully submitted



Charles Meyer  
Deputy Village Clerk