

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
MEETING OF THE COMMITTEE OF THE WHOLE
VILLAGE HALL COUNCIL CHAMBERS
MEETING HELD VIA GOTO MEETING AND
AVAILABLE LIVE AT WWW.LINCOLNWOODIL.ORG/LIVE-CABLE-CHANNEL/
SEPTEMBER 1, 2020**

Call to Order

Village President Bass called the Meeting of the Committee of the Whole of the Lincolnwood Board of Trustees VIA gotomeeting to order at 6:02 P.M. Tuesday, September 1, 2020, meeting held via GOTO Meeting and available live at WWW.LINCOLNWOODIL.ORG/LIVE-CABLE-CHANNEL/, County of Cook, and State of Illinois.

Before calling the roll the Village President read into the record the requirements for public comments for later in the meeting.

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

PRESENT: President Bass, Trustees Ikezoe-Halevi, Patel, Cope, Hlepas Nickell, Sargon, Klatzco (Via GoToMeeting)

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; Robert Merkel, Finance Director; Andrew Letson, Public Works Director; Nadim Badran, Assistant to the Public Works Director; Steve McNellis, Community Development Director; Jay Parrott, Police Chief; Doug Hammel, Development Manager; Steve Elrod, Village Attorney, Leslie Delles, Village Arborist, Jim Amelio, Village Engineer.

Approval of Minutes

The minutes of August 18, 2020 Meeting of the Committee of the Whole were presented for approval.

After a discussion regarding requested changes for the Minutes, Trustee Cope moved to continue the Minutes to a future meeting with the motion seconded by Trustee Hlepas Nickell.

Clerk Herman called the roll.

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

Nays: None

Regular Business

1. Discussion Concerning Policy on Election Signs

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

Mr. Hammel reviewed the current regulations concerning Election Signs, which was found in Section 11.05(9) of the Village Code. The Village Code permits signs on private property only with approval of the property owner and regulates the size of the sign.

Mr. Hammel explained the two options being presented to the Village Board. The first being to enforce existing regulations where signs in the public right-of-way would be deemed non-compliant. The second option was to consider text amendments to the code to include additional regulations which cannot be based on the content of the sign.

Village Attorney, Steve Elrod, recommended that the Village Board limit its scope to simply prohibiting signs on public property only.

President Bass agreed with this recommendation.

Trustee Ikezoe-Halevi asked Mr. Hammel to expand on what is included in the public right-of-way in Lincolnwood.

Mr. Hammel explained that on commercial corridors, there is a clear delineation based on the sidewalk. It is more complex to determine right-of-way in areas with heritage walks where private property stops short of the sidewalk.

Trustee Ikezoe-Halevi stated that putting signs along the golf course is illegal on Pratt Avenue due to it being the public right-of-way.

Mr. Hammel confirmed that the area along the golf course is public property.

Clerk Herman asked how early signs may be put up as she had questions about this from residents.

Mr. Elrod reiterated that he recommends that there should be no regulation to signs on private property and not a standard for how early signs could be placed on private property.

Trustee Sargon asked if there is anything in the current Village Code which regulates the number of signs permitted.

Mr. Elrod explained that there is no regulation on the number of signs. He stated that even the size of signs may be difficult to regulate and made a comparison to how the Village handles holiday decorations.

Trustee Cope agreed with staff recommendations. He stated the Village Board should defer to their Village Attorney on political signs but does not want people to confuse this issue with the policy on commercial signs.

Mr. Elrod agreed with Trustee Cope. This discussion is only about political signs and not related to the commercial sign regulations.

Trustee Hlepas Nickell agreed with staff recommendations.

Trustee Sargon agreed with staff recommendations and thanked them for bringing this to COTW for clarification.

Trustee Klatzco agreed with staff recommendations.

President Bass confirmed there was a strong consensus to follow staff recommendations.

Village Manager Gaura confirmed that this item would be placed on the Village Board Meeting Consent Agenda on September 15.

2. Discussion Concerning Arboricultural Standards Manual Review

This item was presented by Nadim Badran, Assistant to the Public Works Director, using PowerPoint.

Mr. Badran stated that staff is looking for feedback from the Village Board on the proposed updates to the Arboricultural Standards Manual, including a potential Heritage Tree ordinance.

Mr. Badran overviewed the Village's responsibilities and process for the maintenance of trees within the Village. He explained that the Arboricultural Standards Manual is used to guide tree preservation efforts. Since the manual was adopted in 2007, there have been several changes to best practices, updates to ANSI standards, and changes to the Village Code. He reviewed these changes.

Mr. Badran explained that the Manual does not reference Heritage Trees and that the Village Code does not specify or define Heritage Trees. Heritage Trees often carry a greater cost for removal and more stringent requirements for removal. He stated that the current removal fee for any tree in Village is \$150 per inch but, trees with diseases or other issues can be removed for no fee. He shared research related to surrounding communities' heritage tree ordinances.

Mr. Badran asked for direction from the Village Board on whether or not to establish a Heritage Tree Ordinance and if so, what factors would the board like to consider.

President Bass complemented Public Works on the maintenance of trees as well as on their work with trees damaged from recent the storm. He then opened up the item for discussion.

Trustee Ikezoe-Halevi expressed that she would like an ordinance to protect older trees based on size as well as species.

Mr. Badran confirmed that Arborist, Leslie Delles, recommended a blended system based on both the size and species.

Trustee Ikezoe-Halevi reminded residents that a permit is needed to remove a tree.

Mr. Badran explained that any tree greater than 8" needs a removal permit which can be requested through the Community Development Department. Residents are not allowed to prune Village trees, they should call Public Works and the arborist will evaluate and maintain the tree.

Trustee Cope asked where the Village authority comes from to regulate the removal of trees on private property. He deferred the question to Village Attorney, Steve Elrod.

Mr. Elrod stated that the Village has sufficient authority pursuant to its home rule power

Mr. Badran explained that Chapter 14 of the Village Code contains a tree preservation ordinance dictating that residents need to have a permit to remove a tree. The purpose of the code is to prevent the clearing out of larger lots as trees are a valuable asset to the community.

Trustee Cope asked if the resident will be allowed to remove the tree after paying the fee.

Mr. Badran explained that they may be allowed to supply a tree replacement plan in lieu of the fee.

Trustee Patel reiterated that the fee deters residents from clearing an entire lot or removing trees for no reason. He expressed that he would like the rule regarding the building envelope to remain the same even with heritage trees. He also recommended allowing for bonus lot coverage should somebody save or maintain a heritage tree in the buildable area.

Trustee Patel asked for more examples of new constructions as well as an inventory of which trees were removed and which had fees.

President Bass stated that there may be a perception issue with some trees such as Mulberry trees which are bushes and may not require a permit to be removed.

Trustee Hlepas Nickell asked if the Village still updates the tree stock.

Mr. Badran answered that yes, it is updated for public trees.

Trustee Hlepas Nickell agreed with protecting trees from construction and suggested that the area of protection be widened. She recommended there be discussion about whether or not nuisance trees should fall under the category of heritage tree. She asked if some of the suburbs have a listing of nuisance trees.

Mr. Badran answered that the Village has a list of nuisance trees including Mulberry trees. He explained that a Heritage Tree ordinance would recognize certain species and would not apply to nuisance trees.

Trustee Hlepas Nickell referenced a property where there was a diseased Linder tree that falls under the nuisance tree category and the homeowners replaced it. She asked to hear more from the arborist on what is considered a nuisance tree. She also asked if the Arborist provides input on trimming for canopies blocking out light from smaller trees.

Ms. Delles stated that she agreed with Trustee Patel on creating a hybrid plan for the Heritage Tree Ordinance which would protect large trees as opposed to nuisance trees. She clarified that she does inspections only for trees on private property. She expressed concern about some trees in the past which fell within the building envelope and were able to be removed even though they were good trees. She asked for clarification on Trustee Hlepas Nickell's question.

Trustee Hlepas Nickell clarified that she wanted to learn more about new trees that are planted and for if there are considerations made about them being overpowered by larger trees.

Ms. Delles explained that there are certain species that are better for being planted under a large species. The standards regarding trees in the right-of-way include regulations on the spacing of trees to account for that issue.

Mr. Badran stated that, for trees on public property, the foreman does make an effort to prune larger trees that may cause issues for smaller trees as well as consider spacing while planting.

Trustee Hlepas Nickell recommended that the Beautification Commission provide input on this item.

Trustee Sargon stated that she was in favor of drafting a Heritage Tree Ordinance.

Trustee Klatzco referenced a fungus that has been killing oak trees. He expressed that he took issue with charging fees to homeowners for removing trees on private property.

President Bass expressed concern about storm damage and recommended that the Village Board consider public safety.

Mr. Badran clarified that, if a tree does pose a hazard, the resident is allowed to remove it without a fee required.

President Bass emphasized his concern about safety as it relates to public trees.

Trustee Klatzco stated that homes with smaller lots can be overtaken by trees. He reiterated that he did not think the Village should be charging fees for the removal of trees.

Trustee Patel expressed that the effect of the tree expands beyond the property which it falls on. He explained that the fee is meant to encourage people to maintain those trees but does not include trees in the buildable envelope. He reiterated that staff is looking to designate specific trees as heritage trees.

President Bass concluded that all were in favor of drafting a Heritage Tree Ordinance with the considerations discussed by the Village Board.

Trustee Hlepas Nickell reiterated that insight from the Beautification Commission on this item would be valuable.

3. Discussion Concerning FY22 Infrastructure Program

This item was presented by Andrew Letson, Public Works Director, using PowerPoint. He stated that the Village Engineer and Financial Director were both available to answer any questions.

Mr. Letson provided background information on the FY22 Infrastructure Program which would include the resurfacing of streets as well as replacing aging water mains. Due to financial uncertainty staff has reevaluated the proposed plan. He shared the scope of the original project in comparison to the recommended reduction as well as compared the costs of the original and amended plans.

Mr. Letson reviewed the current MFT Fund revenue and expenses including an expected 10 percent reduction in revenue due to COVID 19. He explained that the MFT fund can continue to support the roadway resurfacing program without revenue enhancement.

Trustee Patel stated that he thought the scope of roadwork for FY21 was reduced and that the planned tax increase could cover the scope of work for FY22.

Mr. Letson confirmed that he was correct. He explained that it's difficult to identify roads that are in poor condition that don't also have water mains underneath them that need to be replaced. He explained that the water fund needs to be evaluated.

Trustee Patel reiterated that taxes should cover the scope of the work. He expressed concern about waiting to complete the full scope of work as costs will increase in the future.

Mr. Merkel explained that the food and beverage tax only supports the roadway portion of the project. The water fund would pay for the water mains under the streets that need to be replaced.

Trustee Patel reiterated that an increase in the food and beverage tax could support the infrastructure costs.

Mr. Merkel explained that the chart in the presentation was put together before COVID 19 and may not reflect the revenue that will actually result from an increase.

Trustee Hlepas Nickell stated that it would be a bad idea to raise sales tax until the commercial community has more time to recover from COVID 19. She agreed that it is a good idea to stay within our means at this time.

Mr. Letson then continued with his presentation. He highlighted other funding sources such as the Rebuild Illinois Grant Fund. The staff recommendation was to hold on to the funds right now and to use it to reduce the costs of future roadway projects. He reviewed other state appropriations as well as the financial impact of the amended plan.

Mr. Letson stated that if the Village Board concurs with the staff recommendation, a RFP for engineering services will be released. He asked for feedback from the Village Board on which improvements should be included in the FY22 infrastructure improvement project.

Trustee Ikezoe-Halevi agreed with Trustee Patel in regard to doing more work now with costs being lower at the moment. She asked for what cost of the original plan would be.

Mr. Merkel explained that the amended plan suggests a greater reduction in water repairs which are funded by the water fund which needs to be evaluated.

President Bass asked if staff can put together some more options to compare the numbers.

Mr. Merkel stated that staff can do that but explained that the reasoning for this plan had more to do with the water fund.

Trustee Ikezoe-Halevi expressed that she would like to see what the difference would be. She reiterated that she does not want the Village to get behind in making these improvements.

Mr. Merkel stated that staff would be happy to provide that information.

Trustee Patel reiterated that if we have an opportunity to enhance our revenue that we should and does not want to get behind on improvements. He recommended planning for the larger scope and then finding ways to fund it.

President Bass clarified that it was in 1999 that streets were completely redone due to a truck falling in and that the Capital Infrastructure Committee was created at the time. He recommended that the Village maximize as much as possible.

Trustee Hlepas Nickell recommended that the proposal includes the varied scopes of work. She expressed concern over the aesthetic appearance curbs in the Village. She stated she would rather do less and do it well rather than just do more. She emphasized the importance of living within our means and not creating more obstacles to our businesses by increasing taxes.

President Bass asked for her to clarify if she thinks it's a good idea to look at different options.

Trustee Hlepas Nickell asked if the RFP Proposals will be sealed bids.

Mr. Letson explained that it is sealed in that the numbers remain private but not exactly the same as the typical sealed bid process.

Trustee Sargon stated that she agreed with Trustee Patel and wanted to see what the options were and if they were financially feasible. Trustee Sargon added that she did not want to fall too far behind on infrastructure updates, especially with the water mains. Trustee Sargon continued that if the Village can realize other potential funding sources, she would like to look into that, including potential increase in the food and beverage tax for 2021 and to see if that would make sense. Trustee stated that in regards to the Rebuild Illinois Grant, she agreed with staff's recommendation to hold off on spending any grant money until the Village has everything and to be sure that Lincolnwood has everything in hand before spending it.

Trustee Klatzco expressed concern for putting off large repairs. He stated he would like for staff to plan on the larger scope that was originally planned.

President Bass concluded that the consensus direction was to show comparison of different options before making a decision.

Mr. Letson asked for clarification on if the Village Board wanted staff to move forward with pursuing a contract for design of the larger scope project and then, based on that design, consider different funding options.

President Bass confirmed Mr. Letson's statement.

4. Discussion Concerning September 11 Remembrance

This item was presented by Chuck Meyer, Assistant Village Manager, using PowerPoint.

Mr. Meyer explained that, every year, the Village holds a ceremony honoring the victims of the September 11 attacks. He was looking for direction from the Village Board on whether the event should be held in person or virtually. He clarified that the intention is to hold the event either way.

President Bass emphasized the importance of the event and stated that he thinks it should be an in person event even if it is smaller in size and requires social distancing.

Trustee Ikezoe-Halevi asked how many people usually attend the event.

Mr. Meyer answered that it is typically 30 to 50 participants.

Trustee Ikezoe-Halevi expressed her opinion that it would be safer to have a Zoom meeting but agreed with staff if they think it would be safe to have it in person.

President Bass asked Trustee Cope if he would sing for the event.

Trustee Cope said that he will sing "God Bless America." He agreed that if people can keep a distance and wear a mask that it would be okay to hold the event in person. He suggested making it possible for people to participate virtually.

Trustee Patel agreed that there is enough space outside to have the event with adequate social distancing. He complemented Trustee Cope's singing voice.

Trustee Hlepas Nickell stated that we should honor our first responders and emphasized the importance of the event. She agreed that it would be safe to hold the event in person with social distancing. She also recommended recording the event for the cable channel.

Trustee Sargon agreed but recommended staff consider limiting the event by RSVP in order to be following the social distancing guidelines.

President Bass agreed.

Trustee Klatzco agreed that it could be safe to hold the event in person and that it would be a great idea to film the event or stream it through Zoom.

President Bass concluded that we have direction to hold the event in person as well as provide the option of virtual participation. He emphasized the importance of ensuring that it is held safely and respectfully.

Mr. Meyer expressed the difficulty presented by filming the event outside in order to post it online.

Trustee Sargon recommended using the Village Facebook page.

Mr. Meyer explained that the difficulty is with the logistics of the audio coming through and streaming to the site.

President Bass concluded that staff would do their best to include the virtual component but that it may be difficult.

Adjournment

At 7:51 P.M. Trustee Patel made a motion to adjourn the Meeting of the Committee of the Whole, seconded by Trustee Ikezoe-Halevi.

Upon roll call:

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

Nays: None

Respectfully Submitted,



Charles Meyer
Deputy Village Clerk