



**MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, November 26, 2018**

Present:

Mayor Brandt	Trustee Harms Muth
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee Leider	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Finance Director/Treasurer Peterson	Public Works Director Woodbury
Chief of Police Leonas	Assistant Village Manager/Community &
Planning & Development Manager Zozulya	Economic Development Director Gilbertson

ROLL CALL

Mayor Brandt called the meeting to order at 7:16 p.m. and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the November 12, 2018 Committee of the Whole Meeting Minutes

The minutes of the November 12, 2018 Committee of the Whole Meeting were approved as submitted.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.11 Consideration of an Ordinance Amending Title 6 (Zoning), Chapters 2, 8, and 11 of the Lincolnshire Village Code (Office-Industrial O/I District Permitted and Special Uses) (Village of Lincolnshire)

Planning & Development Manager Zozulya provided an update from the October 9th preliminary evaluation at the Committee of Whole Meeting and an overview of the November 13th Zoning Board Public Hearing regarding recommendations for proposed Ordinance amending Title 6 (Zoning), Chapters 2, 8, and 11 of the Lincolnshire Village Code (Office-Industrial O/I District Permitted and Special Uses).

Planning & Development Manager Zozulya went through a list of proposed office and industrial use changes.

Trustee Hancock asked what would fall under "testing of materials". Planning & Development Manager Zozulya stated this text amendment

was first proposed in 2010 at the request of Hewitt Associates and is for any non-hazardous lab-type pharmaceutical or food testing, which would be permitted by building and fire codes and meet all safety required precautions. At that time, the current testing of materials cap of 25% of the gross building or tenant area was adopted. Trustee Hancock noted concern with what may be tested and how staff would manage this. Planning & Development Manager Zozulya noted the testing would all be done indoors and regulated by the Village and the Fire District per required permits and inspections. Village Attorney Simon added these types of uses would also need to comply with required performance standards which are already in the code. Trustee Hancock asked why staff is recommending removing the 25% cap. Staff felt the 25% was somewhat arbitrary and restrictive since there have been no concerns raised about not having the cap.

Trustee Servi stated his opinion would be to take staff recommendation for capping assembly uses in the entire O/I zoning district at 150,000 sq. ft. instead of the Zoning Board recommendation of 250,000 sq. ft. Trustee Grujanac asked if staff feels there is a need for the Zoning Board recommendation of 250,000 sq. ft. Planning & Development Manager Zozulya stated the Zoning Board went to this number because they felt it is in the best interest of the Village to allow a landlord to be able to lease out an entire vacant building after hearing testimony from Mr. Chuck Lamphere, the President and CEO of Van Vlissingen and Company, a Lincolnshire-based large office and industrial property owner. There are a few large buildings that have been on the market for quite a few years that may allow for an assembly use. Trustee Servi expressed concern stating these buildings and parking were not planned for that type of assembly use.

Mr. Chuck Lamphere, stated they have a significant investment in Lincolnshire and are currently experiencing higher vacancy rates; specifically in the O/I zoning classification. Mr. Lamphere stated Special Use permits have become a detriment in trying to get occupancy. Mr. Lamphere suggested looking at neighboring communities when considering the proposed assembly use, noting the restrictions for this use are currently unusual.

Mr. Lamphere asked the Board to consider permitting one drive-thru for banks and financial institutions in the O/I zoning district. Mayor Brandt asked if there is a drive-thru at Bank of America. Planning & Development Manager Zozulya stated there are several drive-thru lanes at Bank of America. Trustee Hancock asked what the reason was behind not allowing a drive-thru at banks and financial institutions for the O/I zoning district. Village Attorney Simon stated it is not a question of whether or not it is allowed but whether or not it needs a Special Use permit. A conversation regarding the allowance of a drive-thru for banks and financial institutions and the proposed recommendations followed.

Mr. Lamphere asked the Board to consider educational institutions for administrative offices and smaller on-site student population in the O/I district. Planning & Development Manager Zozulya noted administrative offices for schools are currently allowed. As long as there are no students or campus environment, it is allowed by right. Village Attorney Simon stated the reason to look at different uses and designate permitted uses or special uses within each separate zoning district is to make sure there are no building and use conflicts. Within the O/I zoning district, the goal is to have similar uses with similar traffic patterns. Currently the Village does not have a distinction between large-scale educational institutions and tutoring centers. Village Attorney Simon stated staff can come up with a definition for small-scale educational facilities if this is the direction from the Board. Mr. Lamphere would like to work with staff to craft something to address the issue of small-scale educational institutions. Trustee Servi asked how small-scale educational institutions would bring in revenue. Mr. Lamphere stated some would generate revenue through book sales.

Mr. Lamphere requested the Board consider performing and visual arts to be defined different than health clubs and include yoga, spinning and Pilates since Van Vlissingen would like to include these as incentives in their buildings. Village Attorney Simon asked if these classes would only be available to employees of the building or would they be open to the public. Mr. Lamphere stated he would like to see them as open to the public. Village Attorney Simon suggested an auxiliary use, which is a non-office use and amenity to the employees of that building but not open to the public and is a permitted use in an O/I zoning district. Planning & Development Manager Zozulya noted there is an existing permissibility for private and public recreation facilities, which permissibility is being expanded throughout the entire district, and these uses would fall under this and would require a Special Use permit.

Trustee Hancock noted concern regarding increasing the assembly use cap to the 250,000 sq. ft. as recommended by the Zoning Board without a Special Use. A conversation regarding assembly uses and the increase of square footage followed. It was noted that a Special Use permit would continue to be required for any assembly use.

Trustee Grujanac noted her opinion was to increase the assembly use maximum square footage to the 250,000, to allow one or two drive-thru lanes for financial institutions, and to develop a definition for small-scale educational institutions. Trustee Grujanac stated she is open to being more flexible with the uses and Trustee Harms Muth was in agreement.

It was the consensus of the Board for Village Attorney Simon to work with staff and make suggested changes and place this on the next Regular Village Board Agenda for discussion and approval.

3.12 Consideration of an Ordinance Amending Title 2 (Boards & Commissions), Chapter 3 (Architectural Review Board), Section 2-3-2 (Board Membership) of the Lincolnshire Village Code Pertaining to Alternate Members (Village of Lincolnshire)

Assistant Village Manager/Community & Economic Development (CED) Director Gilbertson provided a summary of a proposed Ordinance amending Title 2 (Boards & Commissions), Chapter 3 (Architectural Review Board), Section 2-3-2 (Board Membership) of the Lincolnshire Village Code pertaining to Alternate Members. This would provide for an additional alternate member of the Architectural Review Board (ARB).

Mayor Brandt stated she met with the Chairman of the ARB and she was in support of the change.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.2 Finance and Administration

3.21 Consideration of Final Changes to the Proposed Fiscal Year 2019 Budget (Village of Lincolnshire)

Village Manager Burke provided a brief summary of the final changes to the proposed Fiscal Year 2019 Budget.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.22 Consideration of Workers Compensation Insurance Coverage for the period of January 1, 2019 to December 31, 2019 with the Illinois Public Risk Fund in the Amount of \$144,794; Consideration of Property and Liability Insurance Coverage for the period of January 1, 2019 to April 30, 2019 with the Municipal Insurance Cooperative Agency in the Amount of \$41,455; and Consideration of a Resolution to Enroll in the Municipal Insurance Cooperative Agency (Village of Lincolnshire)

Finance Director/Treasurer Peterson provided a summary of a proposed Workers Compensation Insurance coverage for the period of January 1, 2019 to December 31, 2019 with the Illinois Public Risk Fund in the amount of \$144,794; consideration of Property and Liability Insurance coverage for the period of January 1, 2019 to April 30, 2019 with the Municipal Insurance Cooperative Agency in the amount of \$41,455; and consideration of a Resolution to enroll in the Municipal Insurance Cooperative Agency (MICA).

Finance Director/Treasurer Peterson stated there needs to be some minor changes to the Resolution that staff would like to bring back to the Board at the next Regular Village Board meeting for consideration and

approval.

Finance Director/Treasurer Peterson summarized staff recommendations as follows: secure workers compensation coverage through our existing provider, Illinois Public Risk Fund (IPRF), in the amount of \$144,794 for 2019. Staff further recommends securing Property and Liability insurance with MICA in the amount of \$124,365 annually. To participate, the Village Board must approve a resolution for the Village to enroll in MICA (this resolution will be provided at the December 10, 2018 Regular Village Board meeting). MICA utilizes a May 1 – April 30 coverage period. To accommodate Lincolnshire's request to participate, MICA agrees to provide coverage for the period January 1, 2019 – April 30, 2019 at the prorated amount of \$41,455, and \$124,365 for the period of May 1, 2019 – April 30, 2020.

Village Manager Burke stated a number of communities have participated in MICA as a shared insurance pool and staff has talked to their representatives to check satisfaction with the MICA services. Village Manager Burke noted Ancel Glink serves as legal counsel for MICA and provides some general defense for claims.

Trustee Hancock asked if any of the policies presented were shown to any other carriers and if so, how did they come back with regards to pricing and coverage comparison. Village Manager Burke stated Mesirov went out to the private commercial market to see if anybody would provide quotes for us and Travelers came back with the strongest quote, with the others being much higher. Village Manager Burke noted our previous provider, Glatfelter, continues to refuse to provide a quote to the Village. Glatfelter was concerned regarding the reaction of the Board with regard to the Worker Empowerment Ordinance.

Mayor Brandt asked what the savings number is as a result of the proposal. Finance Director/Treasurer Peterson stated if we were to keep everything under the same roof, with the Travelers and the IPRF versus going with MICA, there was an \$18,000 difference. Since the recommendation is to go with the lower cost for the property and the lower cost for the compensation, the savings will be approximately \$31,000 from the budgeted number.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.23 Consideration of Renewal of Cable Franchise Agreement with Comcast of California/Illinois, LLC (Village of Lincolnshire)

Assistant Village Manager/CED Director Gilbertson provided a summary of the renewal of Cable Franchise Agreement with Comcast of California/Illinois, LLC, which enables them to use the Village's right-of-way to provide cable services to our residents. Assistant Village

Manager/CED Director Gilbertson went through the list of key provisions of the agreement.

Village Manager Burke noted the PEG Capital Fee, which the Village may request to collect up to thirty-five cents (\$0.35) per customer per month to be passed on to each subscriber, is not being implemented as part of the current agreement and would need to be a separate action of the Board if the Board chooses at a future date.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.24 Consideration of an Ordinance Amending Title 1 (Administration), Chapter 9 (Senior Citizen Property Tax Relief) of the Lincolnshire Village Code to Add a Sunset Provision (Village of Lincolnshire)

Assistant Village Manager/CED Director Gilbertson provided a summary of an Ordinance Amending Title 1, Chapter 9 (Senior Citizen Property Tax Relief) of the Village Code to add a Sunset Provision which is a follow-up item from the Budget workshop meetings. Any senior citizen that is not enrolled in this program by December 31, 2018, is not eligible for a grant in future years.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

- 3.3 Public Works
- 3.4 Public Safety
- 3.5 Parks and Recreation
- 3.6 Judiciary and Personnel

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Servi seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 8:33 p.m.

Respectfully submitted,
VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk