



AGENDA
COMMITTEE OF THE WHOLE MEETING
Village Hall – Board Room
Monday, February 22, 2016
Immediately following Regular Village Board Meeting

Reasonable accommodations / auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings of the Board. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need special accommodations to attend.

The Committee of the Whole will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so. Citizens wishing to address the Board on agenda items may speak when the agenda item is open, prior to Board discussion.

CALL TO ORDER

1.0 ROLL CALL

2.0 APPROVAL OF MINUTES

- 2.1 Acceptance of the February 8, 2016 Committee of the Whole Meeting Minutes

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.2 Finance and Administration

3.3 Public Works

- 3.31 Consideration and Discussion of Award of Bid to Nettle Creek Nursery, Inc., Morris, Illinois in the Amount of \$223,450 for ITEP Stage 1–Rt. 22 Median Landscaping (Village of Lincolnshire)

- 3.32 Consideration and Discussion of Award of Bid to All American Exterior Solutions, Lake Zurich, Illinois in the Amount of \$529,000 for Replacement of Village Hall Roof

- 3.33 Consideration and Discussion of Conceptual Park Amenities for Proposed Pocket Park within the Lincolnshire Downtown (Village of Lincolnshire)

3.4 Public Safety

3.5 Parks and Recreation

3.6 Judiciary and Personnel

- 3.61 Consideration and Discussion of Proposed Amendments to Village of Lincolnshire Village Code Pertaining to Automatic Amusement Device Licensing (Village of Lincolnshire)

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT



**MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, February 8, 2016**

Present:

Mayor Brandt	Trustee Feldman
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee Leider (Left at 10:51 p.m.)	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Chief of Police Kinsey	Finance Director/Treasurer Peterson
Public Works Director Woodbury (left at 9:50 p.m.)	Community & Economic Development Director McNellis

ROLL CALL

Mayor Brandt called the meeting to order at 7:05 p.m. and Village Manager Burke called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the January 25, 2016 Committee of the Whole Minutes

The minutes of the January 25, 2016 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 Architectural Review Board recommendation regarding a Wall Signage Plan for the Tri-State International Office Center to permit wall signs at specific dimensions and locations (CDW LLC / GA Tri-State Office Park LLC)

3.12 Public Hearing: regarding a Major Amendment to Ordinance No. 03-1829-06 (amending the Tri-State International Office Center Planned Unit Development) to permit a revised comprehensive signage plan with Sign Code exceptions pertaining to sign face height, logo height and coverage of window or architectural features related to wall signs on primary structures in the Tri-State International Office Center (CDW LLC / GA Tri-State Office Park LLC)

Mayor Brandt opened up Items 3.11 and 3.12 together.

Mayor Brandt recessed the Committee of the whole meeting and opened the Public Hearing regarding a Major Amendment to Ordinance No. 03-1829-06 (amending the Tri-State International Office Center

Planned Unit Development) to permit a revised comprehensive signage plan with Sign Code exceptions pertaining to sign face height, logo height and coverage of window or architectural features related to wall signs on primary structures in the Tri-State International Office Center.

Mayor Brandt provided procedures for the Public Hearing.

Community & Economic Development Director McNellis summarized the requests related to signage at Tri-State International Office Center. Community & Economic Development Director McNellis noted the Architectural Review Board (ARB) completed a design review of the requests and did not reach a consensus for approval on the CDW signage request for signage on their new parking deck. The ARB made three separate recommendations which were noted and are included in the packets. Community & Economic Development Director McNellis noted since the parking deck sign was denied by the ARB; if the Board wants to support the sign there would need to be a favorable vote of 5 Board members when a vote is taken. Community & Economic Development Director McNellis noted there is another amendment necessary for building signage, since signs which project above the roofline are not permitted in the PUD Ordinance.

Mayor Brandt swore in Ms. Melissa Speers representing CDW and Edward Garnett of Garnett Architects, representing CDW.

Ms. Speers thanked the Board for the opportunity to present and stated CDW is happy to be a part of the Lincolnshire Community. Ms. Speers provided brief comments related to CDW's signage requests. Ms. Speers stated a mock-up was put up on the new parking deck so the Village Board could view and get a sense of the size and scale of the proposed sign in relation to the building scale.

Mr. Garnett provided a presentation regarding CDW's signage requests.

Mayor Brandt entered the Findings of Fact from the presentation into the record.

Trustees Hancock, McDonough and Feldman noted they are in favor of the CDW signs presented.

Mayor Brandt swore in Morton Zelman, resident at 17 Summerset, Lincolnshire. Mr. Zelman noted currently there is a sign on the glass wall and asked how the proposed sign compared to the mock up sign installed on the glass recently. Mr. Garnett stated the signs were the same size; the proposal would simply be to change the location of the sign. The sign company could not install the sign mock up in the exact location on the glass of the proposed sign. Mr. Zelman asked if the modifications to the sign requirements would be limited to the sides of the building on the highway side. Community & Economic Development Director McNellis stated the request is for tollway facing only signage.

Mayor Brandt adjourned the Public Hearing and reconvened the Committee of the Whole meeting at 7:22 p.m.

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

Village Attorney Simon asked if the consensus of the Board included the dimensions of the signs in the request. The Board confirmed the consensus included the dimensions.

- 3.13 Consideration of a Zoning Board recommendation regarding Rezoning from R1 Single-Family Residence Zoning District to B1 Retail Business Zoning District for a school parking lot at the northwest corner of Half Day school located at 239 Olde Half Day Road (Lincolnshire – Prairie View School District 103)**
- 3.14 Consideration of Zoning Board and Architectural Review Board recommendations regarding a Special Use Permit to ratify operation of a public school with zoning exceptions and including a proposed 24,500 square foot building addition, and related design plans for Half Day school located at 239 Olde Half Day Road (Lincolnshire – Prairie View School District 103)**

Mayor Brandt opened up items 3.13 and 3.14 together.

Community & Economic Development Director McNellis provided a summary of the Zoning Board and ARB recommendations related to the requests for Half Day School.

Mr. Dave Gassen, Senior Project Architect with Wight & Company representing School District 103 provided a brief overview of the proposed rezoning of the parking lot and building addition for Half Day School.

Mr. Don Matthews, Civil Engineer with Gewalt Hamilton Engineers, representing School District 103, provided information regarding storm water management relative to the proposed Half Day School project. Mr. Matthews noted since impervious surface is proposed to increase, detention will be required, and the proposal includes a plan to build a detention basin on the site.

Mr. Gassen introduced Mr. Dan Brinkman from Gewalt Hamilton Engineers to address the traffic study performed on the site. Mr. Brinkman provided information relative to a comprehensive traffic and parking study for the proposed expansion which included proposed bus drop-off and pick-up at the school. The new plan has the exact same number of parking spaces as what is currently found on the site. Mr. Brinkman noted they will work with staff regarding a crosswalk connection between the school site and library parking lot.

Trustee Feldman asked how many days the traffic was evaluated. Mr. Brinkman stated traffic counts took place one morning, one afternoon and a few more various times in mid-November.

Trustee Grujanac asked if cars would queue up two deep in the parking lot. Mr. Brinkman stated the traffic flow could be two deep if needed. Trustee Grujanac asked if overflow parking would be in the library. Mr. Brinkman highlighted areas of parking which would be similar to what it is now, and overflow parking could be accommodated at the library. Trustee Servi asked how the queue of parking would be marked. Mr. Brinkman stated a staff person is currently moving traffic at drop-off and pick-up times, and there will be additional signage and they will educate parents once the change occurs. Trustee Feldman asked if the cars are two-deep at pick-up time does that mean the cars parked in the spaces will not be able to pull out until the drop-off/pick-up lane clears. Mr. Brinkman confirmed the cars parked two-deep would block the cars in the parking lot, and he would assume people picking up or dropping off would let the cars in the flow of traffic. Mayor Brandt stated the school is landlocked and there is not a lot of room for parking options.

Trustee Grujanac asked where the crosswalk was being considered. Community & Economic Development Director McNellis stated staff has met with the engineers at the site to discuss the location of the crosswalk, but it is still unclear on which side of Indian Creek Road it should be located. Community & Economic Development Director McNellis noted there is a pole and some sight issues on the west side of Indian Creek Road. Staff will need to work with the Illinois Department of Transportation (IDOT) on the crosswalk location. Public Works Director Woodbury noted that when meeting with the Principal of Half Day School, the desire of the crosswalk location is on the east side of Indian Creek. Trustee Grujanac asked if they could put markings on the road and a light for safety. Public Works Director Woodbury noted the desire is to have it be similar to other pedestrian crossings with a push button signal. Trustee Leider stated since the crosswalk is being considered at this location, he suggested looking into one at Riverwoods Road which could improve pedestrian safety to Daniel-Wright Junior High School.

Mr. Gassen provided additional information related to the proposed Half Day School project regarding landscaping, roof plan, elevations, and materials.

Trustee Grujanac asked if the planting material around the detention basin would be dense enough to dissuade a child from entering. Mr. Gassen stated the plant material around the detention basin will be a wetland style mix of plants that will be a few feet tall and enough to deter the students from going into the basin. Community & Economic Development Director McNellis noted the wet bottom portion of the basin is towards the west end and furthest from the playground. Trustee

Grujanac asked if there was going to be a fence around the detention area. Mr. Gassen stated there is no fence proposed. Mr. Hancock asked if they did not feel the fence was necessary. Mr. Gassen stated their experience with wetlands is generally a fence will not dissuade entrance but create a maintenance problem. In most cases wetlands are located remotely on a site and the landscaping installed around them is enough to be a deterrent.

Trustee Feldman asked if the addition will accommodate grades 3 – 5 and asked if there is room for future growth. Mr. Gassen stated the addition is to merely address 5th grade moving to Half Day School. There are some additional spaces being added as part of the addition to try and alleviate some of the current problems, but is not intended to allow for a major expansion.

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

3.15 Consideration of Zoning Board and Architectural Review Board recommendations regarding a Special Use Permit to ratify operation of a public school with zoning exceptions and including a proposed 14,000 square foot building addition, and related design plans for Laura B. Sprague Elementary School, located at 2425 Riverwoods Road (Lincolnshire – Prairie View School District 103)

Community & Economic Development Director McNellis provided a summary of the Zoning Board and Architectural Review Board recommendations regarding a Special Use Permit and proposed addition for Laura B. Sprague Elementary School. Community & Economic Development Director McNellis noted as a result of the Zoning Board recommendation, a meeting took place between the school and the residents to resolve some issues such as lighting and garbage enclosures. Community & Economic Development Director McNellis noted Village Manager Burke and staff will be meeting with the contractor for the development on Wednesday afternoon to discuss construction regulations and construction site management issues.

Mayor Brandt noted the Board has received email concerns from residents in the area. Mayor Brandt has asked staff to see what the Village could do to partner with the school to make this a better situation for the residents. Mayor Brandt stated she will work with Village Attorney Simon and the Board to see if they could offer the allowance of taller fences in the area as relief to some of the residents. Mayor Brandt stated staff is looking at spending some money from the tree bank to offer residents in the school area affected by the addition.

Mr. Dave Gassen, Senior Project Architect with Wight & Company representing School District 103 provided a an overview of the proposed zoning exceptions and building addition for Laura B. Sprague School.

Mr. Don Matthews, Civil Engineer with Gewalt Hamilton Engineers, representing School District 103 provided information related to storm water impacts for the proposed project.

Trustee Hancock noted information provided states there will be no additional detention added and asked if there is going to be a drainage study. Mr. Matthews stated they did an engineering analysis of how the site is draining now and what the addition will do to the surrounding neighbors. Trustee Hancock asked Community & Economic Development Director McNellis if he is in agreement that an analysis is the same as a study. Community & Economic Development Director McNellis stated staff would only ask for a drainage study if the engineer indicated something with the proposal could create water problems; the project would change the flow of the water or there is already an area where problems exist. Community & Economic Development Director McNellis stated in this case, the drainage flows west and does not affect neighbors on the north who are not in the area of the addition. Staff would not normally ask for anything other than preliminary engineering, which has been provided and reviewed by our consultant, and who has agreed drainage will flow the same way it does currently. Community & Economic Development Director McNellis stated final engineering will need to be obtained with the permit from the Stormwater Management Commission but not conceptually at this preliminary level. Trustee Hancock asked what the difference is between an analysis and a study. Mr. Matthews noted when providing for detention for a site, models need to be provided showing how much rain is falling, how much water is flowing into the pond, how much is being released, and how much is being attenuated; this is a drainage study. Mr. Matthews stated an analysis is a more simplified approach of showing how things flow. The proposal will not change any of the conditions which would adversely impact the neighbors. Trustee Hancock noted one of the neighbors' concerns was that no study has been done in the past when the gymnasium was added, or when further additions have gone on, and there has been a drainage issue as a result. Mr. Matthews stated if the school would like them to look at the entire site to see if there are other issues they could do that, but the location of the proposed addition will have no adverse effect on the surrounding properties. Mr. Matthews added they will still need to obtain a Watershed Development Permit from Lake County in the process of the proposed project.

Trustee McDonough asked if the parking lot to the south would be torn up. Mr. Matthews stated the parking lot would be repaired only to the extent of it being damaged as a result of installing new improvements. Trustee McDonough asked for confirmation that the elevation of the parking lot would not change. Mr. Matthews confirmed the elevation of the parking lot in question would not change. Trustee McDonough asked if the engineers on the project were able to estimate in the drainage analysis flow of drainage will continue to go to the west, to the existing drainage ditch; not cross over the parking lot and change

direction to the south, and if so, how did the analysis determine this. Mr. Matthews provided information and direction related to the flow of water on the site. Trustee McDonough asked if the current drainage problems in the yards to the south would be from the parking lot. Mr. Matthews stated he was not aware of any drainage problems on the south side but if in fact there are problems, the parking lot on the south side could be contributing to this. Mr. Matthews stated the parking lot in questions is not being improved as part of the proposed project. Trustee Hancock asked if they considered adding drainage in the south parking lot. Mr. Matthews noted the direction of the current flow of drainage is to the south side of the path, then to a wooded grove on the site. A brief conversation regarding drainage in the south parking lot and possibilities for improvements to the parking area in the south followed. Trustee McDonough noted the desire of the Board was to keep the water from Sprague at Sprague school and not flowing into the adjacent residential properties.

It was the consensus of the Board for the engineers to look into ways to improve the current drainage issues as part of the proposed project. Mr. Matthews stated he is confident nothing in the current proposal would adversely affect the current drainage, but they could look into how they could improve the current issues. Mr. Gassen noted they are not familiar with what the current problems are, and have not developed options to solve the problems. Trustee McDonough suggested this be looked into as part of the proposed project. Mr. Gassen noted the parking lot in question would not be worked on as part of the project other than some minor repairs if it is damaged during construction, and noted concern that there could possibly be bigger issues that are not related to the proposed project. Trustee Hancock suggested the engineers investigate the current drainage issues as part of the project.

Ms. Leanne Meyer-Smith with Wight & Company asked if the Board could share with them what the drainage problem is. The Board stated they would forward resident e-mails and concerns to Wight & Company.

Mayor Brandt suggested that in the next few weeks if there is a major drainage event, staff go to the site and take pictures to try and capture the issues on the site. Community & Economic Development Director McNellis noted staff would investigate the drainage issues further.

Ms. Meyer-Smith asked if the two situations could be separated due to time constraints of the school addition opening in the fall for the start of school. Trustee Servi stated the Board is not asking them to fix the issue at this time but to take a look at it and determine if it can be corrected as part of the project. Mayor Brandt stated staff will get involved to help investigate the current drainage issues.

Mr. Gassen provided additional information related to the proposed Laura B. Sprague School project regarding landscaping, roof plan, elevations, and sun study.

Trustee McDonough asked how the times of the sun study were determined. Mr. Gassen noted they worked backwards starting with the winter solstice and taking it back a few months to determine at what point they would reach a period where there is no issue. Trustee McDonough asked if two stories of glass were not high enough to reflect the sun back to the residents. Mr. Gassen noted the sun reflection would not be a factor until the later parts of the year. The intention was for the sun to go into the classroom, and the glass only has a 12% reflectivity on it.

Trustee Hancock asked what consideration was given to the community when figuring the aesthetics of the glass wall noting it varies dramatically from what is in the current building design. Mr. Gassen noted they tried borrowing all the horizontals from what the current building, and at the same time make the proposed addition unique. A brief conversation regarding the glass elevation and the look of the school followed. Mayor Brandt asked if there were other variations to the elevations. Mr. Gassen explained the design process and how this elevation came to be.

Mr. Scott Warren, School Superintendent for District 103 noted the design is something they chose with children in mind especially since the proposed addition will be for the younger children. Mr. Warren noted the desire was to have low windows for the young children to look outside. Ms. Meyer-Smith provided additional information regarding the design of the addition and passed around samples of the glass.

Trustee Grujanac noted residents have concerns about playground noise increasing due to the design and surface of the proposed addition. Trustee Grujanac asked if there was any way for the sound to be absorbed. Ms. Meyer-Smith noted the new addition will not increase or add to the current playground noise. Trustee Servi noted his opinion was the addition would add noise, and he was not in agreement with the statement made by Ms. Meyer-Smith. Trustee Feldman suggested putting in additional trees for sound barrier. A brief conversation followed regarding planting trees as a result of the proposed addition.

Mayor Brandt asked if the Board had any feedback as a result of viewing samples of the glass. Trustees Grujanac and Leider noted they were in favor of the glass design. Trustee Servi noted he would not be in favor of holding up the project as a result of the glass design.

Mr. Gary Gordon, Board President of School District 103, provided context and background relative to the proposed addition. Mr. Gordon noted school population is trending upward but not at historic high levels. Changes in education have driven this addition such as population growth, educational changes, alignment of grade level, and choices the school has made as a response to the students in the school.

Mr. Gordon described neighbor issues that surfaced as a result of going through the process with the advisory Boards for the addition. A community meeting was held to try and address some of the concerns, and Mr. Gordon explained specifics on how they are addressing the neighborhood issues. Mr. Gordon noted they will take a look at the drainage issues raised by the Board.

Trustee McDonough thanked Mr. Gordon for his statement and stated he is happy to try to help to resolve any of the issues in order to keep the neighbors happy.

Mayor Brandt invited residents up to speak at this time.

Mr. Derek Gilna, resident of 19 Kings Cross, noted he sent an e-mail to the Board highlighting his concerns. Mr. Gilna stated he has lived in the Village and by the school for 30 years, and every few years there is a change at the school which impacts the surrounding neighborhood. Mr. Gilna asked if anyone has consulted the Village Ordinance regarding 40% impervious surface when reviewing the proposed request. Mr. Gilna noted no engineering studies have been done on the site. Community & Economic Development Director McNellis stated preliminary engineering has been completed.

Mr. Gilna noted the neighbors biggest concern is the existing problems on the site due to the size of the existing building being bigger than what the Village allows. Community & Economic Development Director McNellis informed Mr. Gilna impervious surface regulations came into being sometime in the last 10 years and all impervious surface at the Laura B. Sprague school pre-dates this impervious surface regulation. The impervious surface regulation was primarily intended for houses. The addition would only increase impervious surface by .400 of an acre or approximately 46 ½ % to 47%. Mayor Brandt asked Community & Economic Development Director McNellis to provide the communication to the residents confirming preliminary engineering has been completed at this site.

Mayor Brandt asked Community & Economic Development Director McNellis to clarify the process of the project if the Board approves the addition and the Special Use goes on the Agenda in two weeks. Community & Economic Development Director McNellis stated final engineering would need to be done which the Village would review and Lake County Storm Water Management would have to sign off on, and then the Village would issue a site work permit for the site work. Community & Economic Development Director McNellis informed Mr. Gilna, the Village does not get involved in the building itself; when preliminary engineering and storm water review is done, the County reviews the project to see if the concept would work.

Mr. Gilna stated unlike Half Day School there are serious issues affecting residents in the area and asked the Board to keep the human element in mind when approving this addition. Mr. Gilna suggested Sprague School look for a new building or location.

Mr. Tom Caldwell, resident of 12 Buckingham Place noted concern with construction hours not being abided by and stated this was an issue with past construction projects at the school. Mayor Brandt suggested Mr. Caldwell call the Village and Police Department if this happens. Mr. Caldwell asked if there is any padding in the construction schedule so as not to allow construction to take place seven days a week. Mr. Gordon stated a letter went out to District 103, informing them of the start of school being pushed back two weeks to allow for extra time in the construction schedule.

Mr. Caldwell asked for the time frame of the project. Ms. Meyer-Smith stated the project is estimated to go from the beginning of April until September to allow the children to be in the classrooms for the start of school. Trustee Hancock asked if there is a plan if the project is not completed when school opens. Ms. Meyer-Smith noted the plan calls for alternate ideas if construction is delayed; Laura B. Sprague is not taking on additional children, and it could open the way it is while construction is finalized. The addition is to open up the school and allow for additional classroom space.

Mr. Warren stated he is in receipt of the contractors proposed schedule, and the project is due to be completed on August 26th, with school opening September 6th. Mayor Brandt asked if the contractor was the same contractor who worked on Stevenson High School. Mr. Warren confirmed it was the same contractor. Mayor Brandt noted her opinion to the Board that the contractor hired was extremely organized and the Stevenson plan finished ahead of schedule.

Trustee Hancock stated that since there is such a tight window, his opinion is that the petitioner should have presented this with multiple options on aesthetics and architectural plans given some concerns expressed. Trustee Hancock noted his suggestions are for the current drainage issue on the south side of the property be investigated, obtaining a better rendering of what the landscaping actually looks like, adding landscaping on the north side of the addition, and for the petitioner to provide something other than a sketch for the window elevation of the building. Mayor Brandt noted most development projects submit various architecture options and would be open to review other options for the window elevation. A brief conversation regarding architectural options, landscaping options and drawings the Board would like to review prior to the next Board meeting followed.

Trustee Servi thanked District 103 Board for meeting with the residents since initially there was some concern between the school and the neighbors regarding communication. Trustee Servi suggested the

school codify some of the things promised to the neighbors such as deliveries in the special use approval. A brief conversation took place regarding changing the original request to include specifics on delivery times. The school is working with companies to do everything they can to minimize the impact of the neighbors. It was the consensus of the Board not to include additional specifics related to delivery times.

Trustee Servi noted concern regarding the lights and suggested putting language into the special use ordinance language to clarify the times the lights are turned off at the school. Trustee McDonough agreed with Trustee Servi to include turn off time for lights in the PUD language. Mr. Warren noted there are special events that they would need to leave the lights on longer than normal. Mr. Warren suggested some lights be left on to prevent vandalism and some lights be on a motion sensor to detect when cars come into the parking lot. Mayor Brandt asked Village Attorney Simon to draft some language relative to the lights. Mr. Gordon stated the school is happy to work with the Village regarding the lights but reminded the Board that Lincolnshire Sports Association and other organizations use the school at night and suggested doing something based around photometric requirements as opposed to hour specific.

Trustee Servi noted a correction on the plat; street name Cornell is listed as Cedar.

Trustee Servi noted traffic came up as a concern and suggested a trigger be put in place such as increase in capacity at the school would mandate a traffic study review. Village Attorney Simon noted concern; if you start placing restriction on the number of students, you start to infringe on the manner the school operates. Mayor Brandt asked what could trigger a traffic study to future school projects. Village Attorney Simon noted any future addition would need to come back for special use approval. Trustee McDonough asked what they would do if a traffic study came back stating the traffic is worse. Trustee Servi stated one of the concerns was the buses stacked in the roads, and if there is more capacity, there will be even more buses stacked in the road. Trustee Feldman asked if there would be a shared bus service with other schools. Mr. Warren noted they have their own buses currently and did not see an impact of buses coming to the school. Trustee Hancock suggested considering a traffic study in a future addition and the Board was in agreement with this suggestion.

Trustee Servi suggested putting something in the approval that if such time the school needs to reconstruct the parking lot consider an alternative to drainage in order to address residents' concerns regarding increased impervious surface. A brief conversation took place regarding drainage and putting this type of stipulation into the language of the approval ordinance. It was the consensus of the Board to keep this language out of the approval since this would be a part of the process if the parking lot is reconstructed.

Trustee Servi asked what type of screening would be used for the dumpster on the south side. Mr. Warren assured the Board; the material used would be attractive and screen the dumpsters appropriately.

It was the consensus of the Board to place this item on the Regular Village Board under items of general business for discussion and in order for the petitioner to address Board concerns.

3.16 Continued Preliminary evaluation of a Major Amendment to Ordinance No. 97-1498-22 (amending the CityPark Master Planned Unit Development and approving Regal Cinema) to permit a multi-family development and Regal Cinema renovation in the CityPark development at the southwest corner of Milwaukee Avenue and Aptakistic Road (ECD Company)

Community & Economic Development Director McNellis provided an update to the request for a Major Amendment to permit a multi-family development and Regal Cinema renovation in the CityPark development. Community & Economic Development Director McNellis noted this is a preliminary evaluation of the proposal and from here it would go to the Architectural Review Board (ARB) for design review, and then come back to the Village Board to hold a Public Hearing on the amendment to the PUD.

Mr. Scott Greenberg, President of ECD Company introduced Mr. Mark Kurensky and Mr. Mark Hopkins, Lead Principals at HKM Architects; Mr. Jonathan Perman, Managing Director of the Perman Group; Ms. Meghan Czechowski, Senior Director of Cushman & Wakefield; Mr. Bill Woodward, PE from Kenig, Lindgren, O'Hara, Aboona.

Mr. Greenberg provided an overview of what would be presented to the Board as a result of the January 11, 2016 Committee of the Whole meeting.

Mr. Mark Hopkins provided a presentation highlighting added details for the proposed project from the January 11, 2016 Committee of the Whole meeting.

Trustee Hancock asked if they would be highlighting what the efficiency floor plans looked like. Mr. Hopkins noted there are quite a few configurations they could provide for viewing which were not included in the presentation.

Mr. Hopkins continued his presentation with elevations and materials.

Mr. Perman provided an overview of the economic impact of the proposed project.

Trustee Hancock asked if the water fee represented a pass through between residential versus commercial. Village Manager Burke noted

the number in the presentation for water represented connection fees collected.

Village Attorney Simon noted the presentation stated the impact nets out the additional students for the schools but the analysis for the Village impact doesn't evaluate any extra costs resulting from 300 new apartments and recommended they provide a net study showing costs and revenue when presenting for the Public Hearing. Mr. Perman noted an analysis was provided in the original report taking into account public costs of adding 500 new residents. Mr. Perman noted a more definitive figure would be provided at the Public Hearing.

Trustee Hancock asked what multiplier was used behind the economic impact associated with the other retail institutions when figuring keeping the Regal Cinema or losing it on the revenue side. Mr. Perman stated they looked at Lincolnshire Commons and CityPark as the two main retail entities impacted by the presence of Regal Cinema and looking at staffs numbers and numbers they assigned as half of the Village's retail sales tax revenue from these two developments. An estimate was then made based on interviews conducted with employees and patrons of the two facilities. Trustee Hancock asked if there was any assumption for incremental revenues generated by the 500 residents. Mr. Perman confirmed the assumptions included revenues generated by the 500 residents.

Mr. Greenberg provided market study highlights as a result of questions from the January 11, 2016 Committee of the Whole meeting. Mr. Greenberg noted the project would be completed in phases to avoid many empty units.

Mayor Brandt asked how many units were in the main building which also housed the amenities. Mr. Greenberg noted the main building is proposed to have 179 units. Mayor Brandt asked how long it would take to build the first building. Mr. Greenberg noted the approximate time frame for the completion of the first building would be September 2017. A brief conversation took place regarding phasing and time-frame.

Trustee Feldman asked if rental prices were taken into account when performing the market study. Ms. Czechowski confirmed rental prices were taken into account when performing the market study. A brief conversation regarding rental charges followed.

Trustee Grujanac noted concern for how this could affect the school districts. Mayor Brandt asked if there was a FAR they could restrict on apartments. Village Manager Burke stated there is an occupancy code per square footage or minimum square footage per person that could govern occupancy in the units. A brief conversation regarding the possible impact on the schools from the proposed project followed. Mr. Greenberg stated they have met with the schools regarding possible impact and the schools are in agreement with the projections.

Trustee Hancock asked if they had proxies for this type of development elsewhere in the suburbs, in a similar community and school. Ms. Czechowski noted Tapestry Glenview is similar.

Mayor Brandt noted the time was 10:30 p.m. and would need approval from the Board to continue the meeting. It was the consensus of the Board to continue the meeting after 10:30 p.m.

Trustee Servi noted his opinion was there is a need for this type of housing option but has concerns with the amount of units. Trustee Hancock asked Trustee Servi for specifics regarding his concern. Trustee Servi stated he had concern for the schools and noted he would like to see more green space and less building. Trustee Servi noted he did not see a need for any three bedrooms for the projected target. Ms. Czechowski stated the three bedrooms are typically filled by families looking to build or for divorcees'.

Village Attorney Simon noted at the past meeting a percentage of the units was projected for corporate rentals and asked if this was consistent with what the Market Study showed. Ms. Czechowski noted the Market Study showed the corporate rentals being at approximately 5% – 10% which is consistent with the original projection.

Trustee McDonough asked how this would be zoned. Community & Economic Development Director McNellis noted it would remain a B2 PUD.

Trustee Hancock stated he would like to review the packet further regarding open space and amenities located in one building. Mr. Greenberg provided background to how the project units and density were developed. Trustee Hancock noted his opinion is he would like to understand the resource impact this would have drawing from the Village and the expense side of the project. Village Manager Burke noted the expenses would not be a part of the design review. Mr. Perman stated they could go back and give more of a marginal cost within a few days.

Trustee Servi asked if they are marketing to empty nesters. Mr. Greenberg stated they are marketing to millenials, empty nesters, divorcees, and corporate. Trustee Servi asked if they would be willing to put a stipulation on rentals and not allow any children under the age of 18. Due to housing laws, limiting age is only allowed for 55 and older, so this would not be an option.

Trustee McDonough asked about the zoning of B2 and stated he was not in favor of the proposed project in the Village. A brief conversation took place regarding zoning and the proposed project fitting into the Village.

There was a consensus of the Board to refer this to the Architectural Review Board for design review with Board comments regarding density.

3.2 Finance and Administration

3.21 PUBLIC HEARING: Regarding an Ordinance Making Appropriations of Sums of Money for all Necessary Expenditures of the Village of Lincolnshire, Lake County, Illinois, for the Fiscal Year 2016 (Village of Lincolnshire)

Mayor Brandt recessed the Committee of the whole meeting and opened the Public Hearing regarding an Ordinance Making Appropriations of Sums of Money for all Necessary Expenditures of the Village of Lincolnshire, Lake County, Illinois, for the Fiscal Year 2016.

Finance Director/Treasurer Peterson summarized the ordinance making appropriations of sums of money for all necessary expenditures of the Village of Lincolnshire which is brought before the Board in the first quarter of each fiscal year.

Mayor Brandt admitted the report submitted by Finance Director/Treasurer Peterson as Findings of Fact into the record.

Mayor Brandt adjourned the Public Hearing and reconvened the Committee of the Whole meeting at 10:55 p.m.

There was a 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

Trustee Feldman noted concern regarding coyotes on Northampton.

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Hancock seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 11:05 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Bradly J. Burke
Deputy Village Clerk



REQUEST FOR BOARD ACTION
February 22, 2016 Committee of the Whole

Subject: Award of a Bid to Nettle Creek Nursery, Inc., Morris, Illinois in the Amount of \$223,450.00 for Infrastructure Transportation Enhancement Program (ITEP) Stage I - Route 22 Median Landscaping

Action Requested: Consideration, Discussion, and Placement on the March 8, 2016 Consent Agenda for Approval

Originated By/Contact: Scott Pippen, Operations Superintendent
Wally Dittrich, Assistant Public Works Director/Village Engineer

Referred To: Village Board

Summary / Background:

The Village received an Illinois Transportation Enhancement Project (ITEP) in December of 2009. In February of 2010, the Mayor and Board of Trustees (MBOT) selected projects from the Corridor Enhancement Program for implementation utilizing the ITEP funds. Staff presented an implementation schedule to the Village Board at the March 13, 2015 Committee of the Whole meeting. The subject bid is Stage I of this project. Bids were originally opened in July 2015, but were rejected by the board as the lone bidder was not pre-qualified through IDOT which is a requirement of the ITEP Grant.

The Village advertised the project for rebidding in December 2015 and opened sealed bids on January 21, 2016. Two bids were received with the low bidder being Nettle Creek Nursery, Inc. of Morris, IL in the amount of \$223,450.00. The Engineer's Estimate was \$230,930.03. The work is anticipated to take approximately one month to complete.

A contract in the amount of \$19,466.13 was already approved by the Village Board on March 23, 2015 for the construction engineering services to be provided by Gewalt-Hamilton Engineering..

Budget Impact:

There is \$250,000.00 budgeted in Parks Capital Account # 51-22-80-5023 for Phase I – ITEP Grant Construction and Engineering of the Route 22 Medians. This is a grant program with an 80/20 split. The Village will pay for all project costs up front, but will be reimbursed up to 80% of the total project cost via the ITEP grant project.

Recommendation:

Staff requests that the Mayor and Board of Trustees place this item on the March 8, 2016 Consent Agenda for approval.

Reports and Documents Attached:

- Bid Tabulation

Meeting History	
Initial Referral to Village Board (COW):	February 22, 2016
Regular Village Board Meeting:	March 8, 2016

Local Public Agency: Village of Lincolnshire
 County: Lake
 Section: 14-00021-00-LS
 Estimate: _____

Date: 1/21/16
 Time: 12:00
 Appropriation: _____

Name of Bidder:							Nettle Creek Nursery, Inc.		McGinty Bros., Inc.	
Address of Bidder:							320 Ottawa Street		3744 Cuba Road	
							Morris, Illinois 60450		Long Grove, Illinois 60047	
Proposal Guarantee:										
Terms:										
Approved Engineer's Estimate										
Item No.	Item	Delivery	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total
^25200200	Supplemental Watering		Unit	20	\$50.00	\$1,000.00	\$200.00	\$4,000.00	\$60.00	\$1,200.00
67100100	Mobilization		L Sum	1	\$19,215.00	\$19,215.00	\$13,922.00	\$13,922.00	\$13,750.00	\$13,750.00
70102630	Traffic Control and Protection, Standard 701601		L Sum	1	\$7,420.00	\$7,420.00	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00
70102630	Traffic Control and Protection, Standard 701701		L Sum	1	\$11,795.00	\$11,795.00	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00
^C2C073G3	Shrub, Rosa Rugosa Dwarf Pavement (Dwarf Pavement Rose), Container Grown 3-Gallon		EA	300	\$45.00	\$13,500.00	\$50.00	\$15,000.00	\$50.00	\$15,000.00
^K0012990	Perennial Plants, Ornamental Type, Gallon Pot		Unit	42	\$2,000.00	\$84,000.00	\$2,100.00	\$88,200.00	\$1,300.00	\$54,600.00
^*K1003680	Mulch		SY	1,360	\$3.00	\$4,080.00	\$10.00	\$13,600.00	\$8.00	\$10,880.00
*X2110100	Topsoil Furnish and Place, Special		CY	230	\$9.00	\$2,070.00	\$40.00	\$9,200.00	\$99.00	\$22,770.00
*XX007824	Brick Paver Accent Strip		SF	3,500	\$25.00	\$87,500.00	\$19.00	\$66,500.00	\$29.00	\$101,500.00
Z0030850	Temporary Information Signing		SF	51.4	\$6.81	\$350.03	\$20.00	\$1,028.00	\$69.00	\$3,546.60
*	Denotes Special Provision									
^	Denotes Specialty Item									
						\$230,930.03		\$223,450.00		\$229,246.60
Total Bid:										
						As Read:				
						As Calculated:		\$223,450.00		\$229,246.60

**REQUEST FOR BOARD ACTION
Committee of the Whole
February 22, 2016**

Subject: Consideration and Discussion of Awarding Bid to All American Exterior Solutions, Lake Zurich, Illinois, in the amount of \$529,000.00 for replacement of Village Hall Roofs

Action Requested: Consideration, Discussion, and Placement on the March 14, 2016 Consent Agenda

Originated By/Contact: Scott Pippen, Operations Superintendent

Referred To: Village Board

Summary / Background:

Staff worked with Illinois Roof Consulting Associates (IRCA) to update the bid document for the Village Hall roof. The preferred option bid was for the DaVinci composite shingles, maintain the copper gutters and flashing, and include the two patios and Police Department flat roof in the roof replacement project.

Notification was published in the Pioneer Press on January 21, 2016. A mandatory pre-bid meeting was held on January 28, 2016, with three contractors in attendance. Bids were opened on February 10, 2016, and the Village received three bids. The low bidder was All American Roofing Company of Lake Zurich, IL at \$529,000.00. Other bids were received from L. Marshall Roofing and Waukegan Roofing.

Budget Impact:

Account number 51-25-80-2103 in the General Fund, Capital Expenses budget contains \$650,000.00 for this project. The amounts bid by each contractor were significantly lower than the bids received last year. This savings is due to the changes made to the original 2015 project bid information; increased competition in the market for large roofing projects; and the timing of bidding the project for 2016. The following table shows the contrast between the 2015 and current 2016 bids:

COMPANY	2015 BID	2016 BID
All American Exterior Solutions	\$626,000.00	\$529,000.00
L. Marshall Roofing	\$631,000.00	\$570,000.00
Waukegan Roofing	\$731,920.00	\$667,400.00

Recommendation:

IRCA's bid report (attached) recommends the Village accept the low bid from All American Exterior Solutions and proceed with the project as specified. Additionally, IRCA believes the bids are in accordance with the current market pricing. Therefore Staff is recommending approval and placement on the March 14, 2016 Consent Agenda a roof replacement contract in the amount of \$529,000 with All American Exterior Solutions of Lake Zurich, IL.

Reports and Documents Attached:

- Consultant's Bid Report

Meeting History	
Initial Referral to Village Board (COW):	February 22, 2016
Regular Village Board Meeting:	March 14, 2016



Certified Consultants and Specifiers

Roof Condition Evaluations

Moisture Testing

Quality Compliance Inspection
during roof construction

Illinois Roof Consulting Assoc., Inc.

4302-G Crystal Lake Road

McHenry, Illinois 60050

(815) 385-6560

FAX (815) 385-3581

www.irca.com

February 11, 2016

Mr. Scott Phippen
Village of Lincolnshire
One Olde Half Day Road
Lincolnshire, IL 60069

**RE: Roof Rehabilitation Bids for
Village of Lincolnshire Village Hall**

Dear Mr. Phippen:

Illinois Roof Consulting Associates, Inc. (IRCA) was authorized to prepare project documents and specifications for roof rehabilitation at the referenced facility. The following is a summary of our work in this regard and our recommendations for award of the roofing contract.

We reviewed reports and information we had in the building's file and formulated a specification. During the following weeks, we produced a draft Project Manual and developed the necessary construction sketches and details. Once the documents were reviewed and finalized, we provided you with an Advertisement to Bid which was placed by The Village in a local newspaper.

The Invitations drew positive responses from All American Roofing of Lake Zurich, L. Marshall, Inc. of Glenview, IL and Waukegan Roofing of Waukegan, IL. A mandatory pre-bid meeting was held at the site on January 28, 2016 at 10:00 A.M. All initially responding bidders were present. The project's requirements, specifications, and details were reviewed and the roof was examined by the participants.

As originally announced, the Bids were opened at a public meeting by The Village on February 10, 2016 at 10:00 A.M. after the Bid Due time had passed. Attached is a spreadsheet listing the Bid prices and attachments received. All Bidders of Record submitted acceptable Bids with the exception of Waukegan Roofing, which did not submit a bid security.

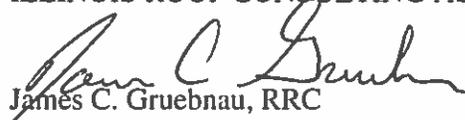
After carefully reviewing the bids and verbally confirming both price and scope of work with the low Bidder of Record, we are pleased to recommend that the project proceed as specified using the low Bidder of Record, All American Roofing. Further, we recommend that the Alternate 2 be used as the roofing system.

Once a decision has been reached by you, we can initiate the Owner-Contractor Agreement with required Exhibits and facilitate the beginning of the work as planned.

We have been pleased to assist you with these phases of this project and are looking forward to continuing to work with you.

Sincerely,

ILLINOIS ROOF CONSULTING ASSOCIATES, INC.



James C. Gruebnaue, RRC
Project Manager

CR/tn
16007.ltr

Enclosure

**ILLINOIS ROOF CONSULTING ASSOCIATES, INC.
SUMMARY SHEET FOR BID OPENING**

PROJECT: Lincolnshire Village Hall

IRCA NO.: 16007

BID OPENING DATE: February 10, 2016

	All American Roofing	L. Marshall, Inc.	Waukegan Roofing
BID SECURITY	✓	✓	No
ADDENDUM 1	✓	✓	✓
BASE BID Village Hall Mod. Bit. Cedar Shake	\$566,000	\$579,000	\$819,750
ALTERNATE 1 60 mil TPO	\$559,000	\$575,000	\$815,830
ALTERNATE 2 DaVinci synthetic shakes	\$529,000	\$570,000	\$667,400
ALTERNATE 3 60 mil TPO and DaVinci synthetic shakes	\$522,000	\$566,000	\$725,400
ALTERNATE 4 Remove patio 1	(-\$18,000)	(-\$6,000)	(-\$5,000)
ALTERNATE 5 Remove patio 2	(-\$10,000)	(-\$4,500)	(-\$7,000)
ALTERNATE 6 Prepainted steel in lieu of copper, excluding inlaid gutter	(-\$17,000)	(-\$9,500)	(-\$10,860)
UNIT PRICES			
Replace wood deck Per square foot	\$8.00	\$8.00	\$6.59
Repair concrete deck Per square foot	\$30.00	\$40.00	\$75.00
Replace wood blocking and nailer Per linear foot	\$7.00	\$6.50	\$4.50
NUMBER OF DAYS TO REACH SUBSTANTIAL COMPLETION			
Village Hall	75	90	90

REQUEST FOR BOARD ACTION
Committee of the Whole
February 22, 2016

Subject: Consideration and Discussion of Conceptual Park Amenities for Proposed Pocket Park within the Lincolnshire Downtown (Village of Lincolnshire)

Action Requested: Approval to Create Bid Documents

Originated By/Contact: Walter Dittrich, Assistant Public Works Director / Village Engineer
Scott Phippen, Operations Superintendent

Referred To: Village Board

Summary / Background

At the March 19th 2013, Joint Park Board/ARB meeting, Staff presented several park concept plans and discussed proposed amenities, as well as the following design objectives:

- Create a passive park, with a passive sense of place.
- Do not include traditional active playground equipment.
- Create a place where kids could play and individuals could sit on a lunch break.
- Create an interesting place for someone to go.

The outcome of these discussions was presented to the Village Board on May 28, 2013. The Village Board made some minor changes to the concept plan and reached a consensus to move forward with the project as the downtown site was developed.

The park is now ready for construction and has been included in the 2016 Village Capital Budget. The project is scheduled to be bid out in the spring with construction scheduled for this summer. Staff has been working with Christopher Burke Engineering of Rosemont, IL on updated concepts for art and play amenities. These concepts were presented at the February 17, 2016 Park board meeting. Staff requested the Park Board review and recommend to the Village Board the types of art and/or sculptures for the project. After due deliberation, the Park Board approved a motion to install the "Ponderosa" kinetic art sculpture in the location as shown on the plans with the stipulation that the landscaping plan be adjusted so that the sculpture is not obscured by the trees when the trees are mature. The Park Board also recommended grass play sculptures be installed in the circular focal point as allowed by the space. Additionally, the Park Board mentioned that consideration be given to place a couple of more around the site as the space and budget allow. Attached to the packet are the items the Park Board recommends for the site to meet the goals outlined above.

Budget Impact

There is \$188,500.00 included in the Village's 2016 budget for this project of which \$15,000.00 is allocated for art / sculptures. The Ponderosa sculpture is \$2,400.00, and "the Grass" play sculptures are \$4,610.00 each plus shipping.

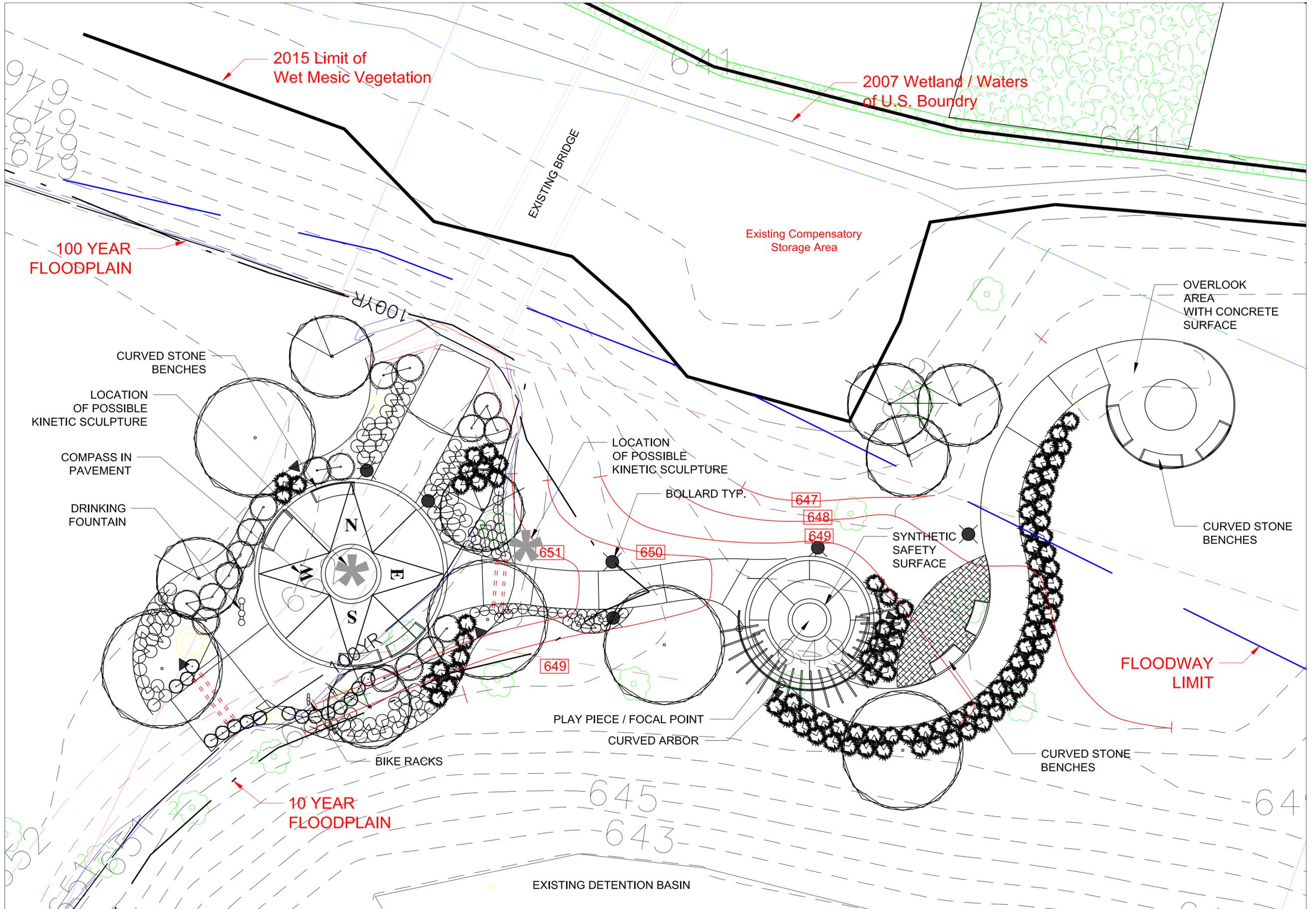
Recommendation

Staff supports the Park Board recommendation. Staff seeks Village Board approval of the Park Board recommendation and to instruct the Christopher Burke Engineering to begin preparing bid documents.

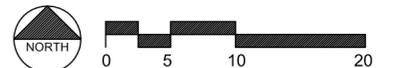
Reports and Documents Attached

- Park Plan Detail
- Minutes from the May 28, 2013 Village Board Meeting
- Picture of the Ponderosa Kinetic Art Sculpture
- Pictures and Information on “the Grass” Play Sculpture

Meeting History	
Park Board	February 17, 2016
Village Board (COW):	February 22, 2016



REVISED SITE PLAN - 2-5-16





2.1

**MINUTES
REGULAR VILLAGE BOARD MEETING
Monday, May 28, 2013**

Present:

Trustee Brandt (Arrived at 7:03 p.m.)

~~Trustee Grujanac~~

~~Trustee McDonough~~

~~Village Clerk Mastandrea~~

Chief of Police Kinsey

Director of Public Works Hughes

Director of Community Development McNellis

Trustee Feldman

Trustee McAllister

Trustee Servi

Village Manager Burke

Finance Director Peterson

Village Attorney Simon

~~Village Treasurer Curtis~~

ROLL CALL

Mayor Blomberg called the meeting to order at 7:00 p.m. and Village Manager Burke called the Roll.

2.1 Approval of the May 13, 2013 Special Committee of the Whole/Town Meeting Minutes

Trustee Servi moved and Trustee Feldman seconded the motion to approve the minutes of the Special Committee of the Whole/Town Meeting of May 13, 2013 as presented. The roll call vote was as follows: AYES: Trustees McAllister, Feldman and Servi. NAYS: None. ABSENT: Trustees McDonough, Brandt and Grujanac. ABSTAIN: None. The Mayor declared the motion carried

2.2 Approval of May 13, 2013 Regular Village Board Meeting Minutes

Trustee McAllister moved and Trustee Servi seconded the motion to approve the minutes of the Regular Village Board Meeting of May 13, 2013 as presented. The roll call vote was as follows: AYES: Trustees McAllister, Feldman and Servi. NAYS: None. ABSENT: Trustees McDonough, Brandt and Grujanac. ABSTAIN: None. The Mayor declared the motion carried.

3.0 REPORTS OF OFFICERS

3.1 Mayor's Report

Mayor Blomberg thanked Public Works, Village staff and all involved for the Memorial Day Ceremony.

3.2 Village Clerk's Report - None

3.3 Village Treasurer's Report

3.31 Revenues and Expenditures by Fund for the month of April, 2013.

Finance Director Peterson noted the Revenues and Expenditures for the month of April have been reviewed by the Village Treasurer and all amounts are properly recorded.

3.4 Manager's Report

Village Manager Burke encouraged all to reach out to our State Senator and Representatives to express opposition to the state legislature freezing any revenues that the State shares with municipalities. Information will be posted on the Website and presented to residents as it becomes available.

4.0 PAYMENT OF BILLS

4.1 Bills Presented for Payment on May 28, 2013 in the amount of \$610,273.48

Finance Director Peterson provided a summary of the May 28, 2013 bills prelist presented for payment with the total being \$610,273.48. The total amount is based on \$145,300 for the General Fund, \$227,300 for Water & Sewer Operations, \$15,500 for Water & Sewer Improvement, \$160 for Fraud-Alcohol-Drugs, \$13,900 for Vehicle Maintenance, \$203,900 for the TIF fund, \$4,100 for the E-911 Fund and \$170 for Sedgebrook SSA, all amounts being rounded.

Trustee Feldman moved and Trustee Brandt seconded the motion to approve the bills prelist as presented. The roll call vote was as follows: AYES: Trustees Brandt, Feldman, McAllister and Servi. NAYS: None. ABSENT: Trustees Grujanac and McDonough. ABSTAIN: None. The Mayor declared the motion carried.

5.0 CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only)

6.0 PETITIONS AND COMMUNICATIONS

7.0 CONSENT AGENDA

7.1 Approval of an Ordinance Amending Title 3-3, Liquor Control, of the Lincolnshire Village Code for the Creation and Issuance of a Class "F" Liquor License for The Fresh Market, Inc. DBA The Fresh Market of Illinois, Inc. (Village of Lincolnshire)

7.2 Approval of an Ordinance Granting Variations to Title 12, Sign Control, of the Lincolnshire Village Code, for a Proposed Monument Ground Sign for Stevenson High School (Adlai E. Stevenson High School, District 125)

Trustee Servi moved and Trustee Brandt seconded the motion to approve the Consent Agenda. The roll call vote was as follows: AYES: Trustees Brandt, Feldman, McAllister and Servi. NAYS: None. ABSENT: Trustees Grujanac and McDonough. ABSTAIN: None. The Mayor declared the motion carried.

8.0 ITEMS OF GENERAL BUSINESS

8.1 Planning, Zoning & Land Use

8.11 Approval of a design concept for the Downtown Creekside Park, located at the northeast corner of Rt. 22 and Milwaukee Avenue (Village of Lincolnshire)

Director of Community Development McNellis provided a presentation of the design concept for the Downtown Creekside Park recommended by the Park Board and Architectural Review Board. Staff is recommending a blue line/bar be added to denote where the flood line is as it runs throughout the park. Staff requests approval of the design concept and direction to proceed with developing formal plans and constructions documents.

Trustees Feldman, Brandt and Servi expressed their opinion they were not in favor of adding the blue line as recommended. Trustee Feldman noted dogs are not allowed in the parks and asked if the plan to include a water fountain for dogs needed to be corrected to comply with the Village's code. Director of Community Development McNellis explained the location of the drinking fountain is along the pedestrian walkway and noted it is not intended to indicate people should bring their pets into the park area. The proposal to include a drinking fountain and one for dogs is to provide more of a way station along the path or an amenity for walkers with pets. Director of Community Development stated if this is a concern of the Board, staff will address it.

Trustee Brandt voiced her concern with the benches presented on the concept plan as being too similar to those of the other parks and thought more naturalized stone benches would be appropriate for this location. Director of Community Development McNellis pointed out the plan presented is a concept plan and staff would pursue different options and pricing at the direction of the Board. Trustee Brandt asked if there was any money left in the TIF prior to the end of 2013. Village Manager Burke noted a price analysis would need to be done once the site improvements were completed and the amount of available funds would also be contingent on the sale of the remaining Village-owned property. Village Attorney Simon explained in order for the cost of the proposed park to be funded via available TIF moneys, funds would have to be committed prior to the expiration of the TIF. Village Attorney Simon explained this would mean there has to be a contract executed for the construction of the park committing all the money in the TIF fund for eligible redevelopment costs.

Trustee Brandt noted the Rotary and the Garden Club expressed interest in assisting with and contributing to the park and encouraged the Village to work with these groups as appropriate.

Trustee McAllister expressed he was in favor of the educational component of the blue line and thought the curved stone benches might not be appropriate since they did not provide a back for relaxing after a walk or bike ride.

Mayor Blomberg asked what the cost component of the blue line would be. Director of Community Development McNellis stated staff did not obtain a cost

on the blue line at this time. Mayor Blomberg suggested possibly installing posts with educational signage as an alternative to the blue line. Mayor Blomberg asked if the Village would be better off pricing both phases together. Village Manager Burke said staff could obtain prices for both phases combined and each phase individually as alternates in the bid construction process.

Trustee McAllister asked if the Village was likely to receive grant money this year. Village Manager Burke said it was not likely to get the grant money this year. Mayor Blomberg asked if the park would be included in the grant the Village has received for improvements on Milwaukee Ave. Director of Public Works Hughes noted the grants received for Milwaukee Ave. are for specific projects but staff could ask the question.

It was the consensus of the Board to move forward with the project.

8.2 Finance and Administration

8.3 Public Works

9.0 REPORTS OF SPECIAL COMMITTEES

10.0 UNFINISHED BUSINESS

11.0 NEW BUSINESS

12.0 EXECUTIVE SESSION

13.0 ADJOURNMENT

Trustee Servi moved and Trustee Brandt seconded the motion to adjourn. The voice vote was unanimous and the Mayor declared the meeting adjourned at 7:25 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk





**REQUEST FOR BOARD ACTION
FEBRUARY 22, 2016 COMMITTEE-OF-THE-WHOLE MEETING**

Subject: Consideration and Discussion of an Update to Village Code Regarding Automatic Amusement Devices (Village of Lincolnshire)

Action Requested: Advance proposed Village Code update to March 14, 2016 Regular Village Board Meeting Consent Agenda for approval.

Originated By/Contact: Peter D. Kinsey, Chief of Police

Referred To: Village Board

Summary / Background:

At the March 23, 2015 Committee-of-the-Whole Meeting representatives from Emporium Lake County appeared before the Village Board seeking to open a bar in Lincolnshire and explained their proposed business model, which included multiple video arcade type games and live entertainment. They requested, and the Village Board approved, creation of a new liquor license class which permits the retail sale of alcoholic beverages for consumption on the specified premises with no requirement for the sale of food (Class “Q” – Taverns).

Title 3, Chapter 4 of the Lincolnshire Village Code regulates “Amusements” with Article E specifically addressing Automatic Amusement Devices. Currently, Village Code only permits hotels, restaurants, and movie theaters to keep automatic amusement devices. In addition, current Village Code limits premises to eight (8) automatic amusement devices unless the premise is a hotel or theater complex with a physically segregated “game room.” Current Village Code also assumes automatic amusement devices will be leased from an outside supplier and requires the supplier to obtain a “Supplier’s License.” Emporium Lake County owns all of their devices (42 decals issued) and does not use a supplier. Clearly, a business model like that employed by Emporium Lake County was never contemplated when the current Automatic Amusement Device Code was adopted.

The proposed update to the Automatic Amusement Device section of Village Code adds taverns to the list of permissible premises and does not unduly limit the number of devices a tavern may license as long as ingress and egress to the licensed premises is not impaired and the aggregate power supply required for the devices does not exceed the electrical rating serving the premises. The update also eliminates the \$1,000 Supplier’s License Fee, substituting a \$250 license fee for any applicant, and raising the fee for individual device decals from \$50 to \$75.

Recommendation: Staff recommends approval of the updated ordinance regarding Automatic Amusement Devices.

Reports and Documents Attached:

Draft Ordinance Amending Title 3, Chapter 4, Article E (Automatic Amusement Devices) of the Lincolnshire Village Code.

Meeting History	
Initial Referral to Village Board (COW):	February 22, 2016
Regular Village Board Meeting:	

VILLAGE OF LINCOLNSHIRE

ORDINANCE NO. 16-_____

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 4, ARTICLE E
(AUTOMATIC AMUSEMENT DEVICES) OF THE LINCOLNSHIRE VILLAGE CODE**

WHEREAS, the Village of Lincolnshire (hereinafter, the “Village”), is an Illinois home rule municipal corporation organized and operating pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, the Village of Lincolnshire has adopted certain licensing regulations for Automatic Amusement Devices designed to protect the health, safety and welfare of the residents of the Village, which regulations are codified at Title 3, Chapter 4, Article E of the Lincolnshire Village Code (the “Automatic Amusement Device Code”); and

WHEREAS, the Mayor and Board of Trustees desire to update and revise the Village’s Automatic Amusement Device Code to modernize and simplify the Village’s regulations and permit the operation of taverns for which the principal entertainment is the use of Automatic Amusement Devices.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Lincolnshire, in exercise of its home rule authority, as follows:

SECTION 1. RECITALS. The foregoing recitals represent the purpose and intent of this Ordinance and as such shall be incorporated as though fully set forth herein. In the event of any ambiguity or invalidity regarding the enforcement of this ordinance it is the intent of the corporate authorities that this ordinance be liberally construed or reformed to accomplish the purpose and intent so described.

SECTION 2. AMENDMENTS. Title 3, Chapter 4, Article E of the Village Code is hereby repealed and replaced in its entirety with the new regulations described in Exhibit A, attached hereto and incorporated by reference.

SECTION 3. FEES. Section 1-15-3 of Title 1, Chapter 15 of the Village Code, the Comprehensive Fee Schedule, is hereby amended with respect to Automatic Amusement Devices by repealing and replacing the fee schedule therefor as set forth below:

<u>AUTOMATIC AMUSEMENT DEVICES</u>	<u>AMOUNT OF FEE</u>	<u>CODE SECTION</u>
Automatic Amusement Device License	\$250.00	3-4E-2
Device Decal	\$75	3-4E-9

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this _____ day of _____, 2016, by the Corporate
Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED This _____ day of _____, 2016.

Elizabeth Brandt, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

Published in pamphlet form this _____ Day
of _____, 2016 by the authority of the
Village Board of the Village of Lincolnshire,
Lake County, Illinois.

EXHIBIT A

TITLE 3, CHAPTER 4, ARTICLE E

CHAPTER 4

AMUSEMENTS

ARTICLE E. AUTOMATIC AMUSEMENT DEVICES

SECTION

3-4E-1:	Definitions
3-4E-2:	License Required
3-4E-3:	Application for License
3-4E-4:	Investigation of Applicant
3-4E-5 :	Number and Register of Licenses
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3-4E-1: DEFINITIONS:

AUTOMATIC AMUSEMENT DEVICE

Any machine which upon the insertion of a coin, slug, plate, disc or token may be operated generally by the public for use as a game, entertainment or amusement whether or not registering a score. It shall include, but not be limited to, such devices as marble machines, pinball machines, pool tables and air hockey, movie and video games, booths or stands, games played with any number of balls, spheres or electrically operated devices upon a table or board having holes, pockets, cups or electrically activated devices that are activated by said balls, spheres or electrical contacts, electrical impulse and/or cathode tube games, and all games, operations or transactions similar thereto under whatever name by which they may be indicated.

Automatic Amusement Devices shall not include "Video Gaming Terminals" as such term is defined in the Video Gaming Act, 230 ILCS 40/1, et seq.

PERSON

Shall include any person, firm, corporation or association having ownership, possession and/or control of any Automatic Amusement Device.

VIDEO GAMING TERMINAL

Shall have the meaning ascribed to such term as defined in the Video Gaming Act, 230 ILCS 40/1, et seq.

3-4E-2: LICENSE REQUIRED: No person shall make available for use by the public any Automatic Amusement Devices without first obtaining an amusement device license from the Village. Application for such a license shall be made to the Police Department upon forms supplied by the Village in compliance with Section 3-4E-3. An amusement device license may be issued upon satisfying the eligibility requirements described in this Article and upon payment of the required application fee for an Automatic Amusement Device License and Device Decal as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code.

3-4E-3: APPLICATION FOR LICENSE:

A. General Information: An applicant for a license shall furnish the following information under oath:

1. The identity of the person or organization filing the application;
2. For non-individual applicants, the applicant shall identify and list the following information for any person who exercises managing control of the applicant:
 - a. Name, including all aliases and former legal names,
 - b. Residential address,
 - c. Current residential telephone number, and
 - d. Date of birth.
3. The name, address and telephone number of the owner or supplier of the device(s) for which the applicant is seeking a decal;
4. Whether the applicant or any person required to be described on the application has ever been found guilty of a gambling offense or of any violation of any State Statute or local ordinance related to taxes or the commission of any act of moral turpitude, and if so, the precise nature of the offense, the date of the conviction and the court where it was adjudicated, and the status of any post-conviction requirements (e.g. restitution, probation, etc.).
5. The address of the building where the machine(s) will be located, the type of business conducted there and the name of the business (if different from item (3)).

6. Description of the machine(s) for which the applicant is seeking a decal, including mechanical features, name and address of manufacturer, and serial number.
7. The name, address and telephone number of the landlord if the premises are leased.
8. Whether the applicant has ever had a similar license revoked or suspended by any other municipality and, if so, a summary of the circumstances related to such revocation or suspension.

B. Applicant Other Than an Individual: If said application is made on behalf of a partnership, firm, association, club or corporation, then the same shall be signed by at least two (2) members of such partnership or the president and secretary of such corporation. Applications made on behalf of limited liability companies shall be signed by either the Manager or two members.

C. Application Fee Requirement: Before any action is taken upon any application as provided in this Section, the applicant shall pay to the Village the required application fee as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code, no part of which shall be refundable, to cover the Village's costs in reviewing and investigating such applicant.

D. Issuance Prohibited: No license shall be issued to any applicant, if the person (1) is under twenty one (21) years of age; (2) is not a citizen of the United States; (3) has been found guilty of any gambling offense, felony or crime of moral turpitude or any State Statute or local ordinance related to taxes; (4) is not of good character or reputation, or (5) the use of the premises where the Automatic Amusement Device is proposed to be located would violate the applicable zoning designation.

3-4E-4: INVESTIGATION OF APPLICANT: Each application for a license hereunder shall be referred to the Chief of Police for investigation and verification of the stated facts. The Chief of Police shall determine whether the applicant or any person required to be described on the application has been found guilty of a gambling offense or any State Statute or local ordinance related to taxes or the commission of any act of moral turpitude in either the State or Federal court. The Chief of Police shall also determine whether the applicant, or any person who exercises managing control of the applicant, has employed coercive or illegal measures to promote the use of his Automated Amusement Devices or Video Gaming Terminals. The Chief of Police shall further determine whether the applicant, or any person who exercises managing control of the applicant, are persons of good moral character. If the Chief of Police shall determine that the applicant, any person who exercises managing control of the applicant, or any of them, have in fact been found guilty or have engaged in such coercive or illegal measures or otherwise are not persons of good character and fitness, then the license shall not be issued and the Chief shall describe the reasons for the denial in writing within

thirty (30) days of receipt of the application. If the Chief of Police investigation fails to discover any disqualifying factors as described in this Article, the Chief of Police shall issue the license. Any applicant for whom the Chief of Police refuses to issue or renew a license for the reasons herein described, within ten (10) days of receipt of the denial may appeal the decision to the Village Board, who may review the Chief of Police's determination after consideration of all relevant facts and circumstances. The Village Board's decision shall be made within thirty (30) days after the filing a written notice of appeal and shall be final.

3-4E-5: NUMBER AND REGISTER OF LICENSES: The number of licenses issued and the identity of every licensee shall be kept by the Police Department.

3-4E-6: PERSONAL NATURE OF LICENSES: A license shall be purely a personal privilege, good for not to exceed one year after issuance unless sooner revoked as in this Article provided, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall not descend by the laws of the testate or intestate devolution, but it shall cease upon the death or dissolution of the licensee.

3-4E-7: INDIVIDUAL DECALS REQUIRED: No person shall keep, install, maintain or permit any Automatic Amusement Device in any building or place within the Village for use by anyone other than the licensee without first having obtained a decal for each Automatic Amusement Device.

3-4E-8: RESPONSIBILITY FOR COMPLIANCE, FLOOR PLAN REQUIRED: Responsibility for compliance with the regulations pertaining to Automatic Amusement Devices shall rest with the owner and lessee of the premises where such devices are located. Each application for a decal must be accompanied by a copy of Automatic Amusement Device License, or an application therefor, and an accurate floor plan showing the exact location of each machine, provided each premises may show all proposed locations for Automatic Amusement Devices on the same floor plan. Automatic Amusement Devices may not be located at any other location within the licensed premises except as shown on the floor plan. Any licensed Automatic Amusement Device moved and located contrary to said floor plan shall result in the automatic revocation of the decal for that machine. Licensed Automatic Amusement Devices may be replaced from time to time so long as their location remains as shown on the floor plan and provided that the Chief of Police of the Village is notified of such change and the applicant pays the Automatic Amusement Device transfer fee as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code to cancel the decal on the replaced Device and adheres the new decal to the new or replacement Device.

3-4E-9: FEES; DISPLAY OF DECAL: Before being granted a decal, every applicant shall pay the annual fee for each calendar year as prescribed in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code.

- A. Each decal shall be valid from May 1 to April 30 each year and these fees for each decal shall not be prorated for partial years.
- B. All fees shall be paid to the Police Department which shall issue as evidence of the payment thereof for each device an adhesive decal to be placed on each device. Such decal shall bear the words, "Village of Lincolnshire" and the date it shall become void. The decal shall be placed on the device in a location where it is viewable by the public. It shall be unlawful for any person to mutilate a decal during the year for which it is issued.
- C. Each decal shall be issued only for a particular Automatic Amusement Device and may not be transferred or used in any other way whatsoever including as the required decal of any other Device whether or not the other Device is new or a replacement for the original machine. Each and every machine must have such a decal issued for its particular use after the payment of the required fee. It is the intent of this ordinance for each decal to correspond to a distinct serial number.

3-4E-10: RESTRICTIONS ON OPERATIONS: Unless otherwise specified by the Mayor and Board of Trustees, premises eligible for Automatic Amusement Devices and the location, number and manner of operating Automatic Amusement Devices shall be as determined by the Village according to the standards set forth in this Section.

- A. Only taverns, hotels, restaurants or movie theaters shall be eligible to keep Automatic Amusement Devices.
- B. Nothing in this Article shall be construed to authorize, license or permit any gambling devices whatsoever or any mechanism that has been judicially determined to be a gambling device or is in any way contrary to law. No gambling or individual wager on any Automatic Amusement Device shall be permitted.
- C. The operation of Video Gaming Terminals is prohibited. This ordinance is intended to represent the Village's election to prohibit video gaming in the manner described in Section 27 of the Video Gaming Act, 230 ILCS 40/27.
- D. The Licensee may not promise to deliver or deliver any award, prize or cash equivalent to any person in exchange for the person's performance on any Automatic Amusement Device unless: (1) the amount of the award is fixed in advance and a schedule of prizes is available in writing; (2) the amount of the award bears no relationship to the person's skill or performance on the Device; and (3) there is no cost to participate in the contest or compete for the award.

- E.** No Automatic Amusement Device shall be operated unless the reward for skill in the operation thereof, if any, is plainly posted upon such machine or the opportunity for a reward for skill in the operation thereof is the same for each individual player. Examples of permitted rewards include free plays or recognition on a leader board operated by the owner of the premises.
- F.** No Automatic Amusement Device shall be placed in any required exit path of travel.
- G.** No Automatic Amusement Device on the premises of a retail alcoholic liquor licensee shall be used by anyone under twenty one (21) years of age unless accompanied by a parent or legal guardian.
- H.** No one under eighteen (18) years of age shall be allowed to play any Automatic Amusement Device before ten o'clock (10:00) A.M., or after ten o'clock (10:00) P.M., unless accompanied by a parent or legal guardian.
- I.** No premises shall have more than eight (8) Automatic Amusement Devices unless the premises is (i) a hotel or theater complex and has a designated and physically segregated "game room", or (ii) a tavern. For qualifying hotels, theater complexes and taverns, the number of Automatic Amusement Devices shall be limited so that (i) ingress and egress to the licensed premises shall not be impaired, and (ii) the aggregate power supply required for such Devices does not exceed the electrical rating permitted for the circuit serving such premises. An applicant for a decal shall certify compliance with this provision on the floor plan accompanying the application for decals. At all times when Automatic Amusement Devices are being operated in the licensed premises no screen, blind, curtain, partition, article or thing shall be permitted in the windows or upon the doors which shall prevent a clear view into the interior of such premises.