

**APPROVED MINUTES - REGULAR BOARD MEETING  
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK  
HELD ON MONDAY, JULY 19<sup>TH</sup>, 2010 AT 7:30 P.M.  
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

**OFFICIAL RECORD**

PRESENT: Trustees Brewer, Hale, Hedges, Johnson, and Lueck; President Pope  
ABSENT: Trustee Pate  
QUORUM: President Pope called the meeting to order at 8:03 p.m. and declared that a quorum was present.

**AGENDA**

President Pope announced that Items E, T.2 and N had been removed from the agenda. Items I, O, P.5 and S would be moved from the Consent Agenda to the Regular Agenda. It was moved and seconded to approve the amended agenda for the meeting. A voice vote was taken and the agenda was approved as amended.

**MINUTES**

It was moved and seconded that the minutes of the Regular Meeting of July 6, 2010 be approved. A voice vote was taken and the minutes were approved as presented.

**RESOLUTION**

**Creation of Community Gardens in Oak Park and National Community Garden  
Awareness Week August 23-26, 2010**

It was moved and seconded to concur in a Resolution to recognize August 23 -26, 2010 as Creation of Community Gardens and National Community Garden Awareness Week in the Village of Oak Park. President Pope read the Resolution aloud. A voice vote was taken and the Resolution was adopted.

**VILLAGE MANAGER REPORT**

- A. Village Manager Tom Barwin announced that a number of the construction projects continue to be suspended due to strikes by construction workers. If the strike is not resolved, some projects scheduled for 2010 may be pushed back for completion in 2011. Work was completed on the East Avenue water main under I-290 in time to meet the resurfacing project. The contract for the Roosevelt Road project was awarded by IDOT on June 29. Once the strike is over and the documents are finalized, the first segment is expected to begin this month. Bids were opened to make the overflow modifications at the Central Pumping Station, as well as cleaning, sealing and striping the Holley Court Garage.

Mr. Barwin announced that Oak Park had placed in the top tier in the “Com Ed Challenge” competition and commended Sustainability Manager K.C. Poulos for her efforts.

### **CITIZEN COMMISSION VACANCIES AND APPOINTMENTS**

- B.** President Pope referred to the Board and Commission vacancy report, and urged residents to volunteer for commissions and boards, particularly the Building Codes Advisory Commission, which requires specific trades-people as members.

### **FIRST READING**

- V. First Reading of an Ordinance Amending Chapter 8, Article 2 of the Village Code Regarding Business Licenses**

Trustee Johnson noted that this Ordinance would reduce the Taxi Company and Chauffeur License fees significantly and asked whether the new license fee of \$70 would apply to each individual vehicle within the taxicab company.

Village Clerk Teresa Powell stated that it would. Each vehicle would be assigned a decal in the same way that the City of Chicago issues cab medallions. She referenced similar fees in other communities. Two cab companies are currently licensed to pick up fares in Oak Park and they would pay the new license fee in 2011.

- W. First Reading of an Ordinance Amending Chapter 24, Article 1 of the Village Code Regarding Taxicabs**

Trustee Hale asked what a taxicab inspection entailed. Village Clerk Powell described the process, which included examining and sealing the meter by the Clerk’s Office and a safety check by the Police Department.

Trustee Hale expressed concern that some of the cabs operating in Oak Park were inferior to others and asked about age limitation and other standards for the vehicles. Village Clerk Powell stated that the age limitation is eight years; she was not aware of any other requirements and would do further research, such as comparisons with other municipalities.

Trustee Hedges asked about the complaint process. Village Clerk Powell was not aware of any formal process at this time; Trustee Hale commented that this should be looked into.

Trustee Lueck asked if the Village assumed any liability once certifying that a cab is safe. Village Attorney Ray Heise stated that with regard to any municipal inspection, the Village is expected to do a reasonable job and does not assume civil liability with regard to accidents that may occur.

President Pope make clear that the \$70 fee is tied directly back to the costs that the Village incurs as a result of the inspection and that the cost is borne by the individual applying for the license who needs to have their cab inspected.

**SECOND READING**

**D. Second Reading of Ordinance Amending Article 4 of the Village Code Relating to “Alarm Business Regulations and Permit Fees”**

There were no comments.

**REGULAR AGENDA**

**U. It was moved and seconded that Ordinance 2010-0-46 entitled ORDINANCE AMENDING ARTICLE 4 OF THE VILLAGE CODE RELATING TO “ALARM BUSINESS REGULATIONS AND PERMIT FEES” be adopted.**

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The ordinance was adopted.

**F. It was moved and seconded that Ordinance 2010-0-53 entitled ORDINANCE AUTHORIZING EXECUTION OF THE INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN SCHOOL DISTRICT 97 AND THE VILLAGE OF OAK PARK REGARDING THE PROVISION OF CROSSING GUARD SERVICES be adopted.**

President Pope noted that a specific ordinance on provision of services would be on the agenda for next week.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The ordinance was adopted

**P. 3 It was moved and seconded that Resolution 2010-R-92 entitled RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH J.A. JOHNSON PAVING FOR PROJECT 10-00252-00 RS, RESURFACING OF VARIOUS STREETS IN AN AMOUNT NOT TO EXCEED \$1,407,754 be adopted.**

Village Engineer Jim Budrick stated that this project covered approximately 26 blocks in the Village. Most of the resources came from the state in the form of emergency road repair funds.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate  
The resolution was adopted

- T.1 It was moved and seconded that Ordinance 2010-0-47 entitled **ORDINANCE AMENDING CHAPTER 27, ARTICLE 2, RELATING TO POSSESSION AND CARRYING OF WEAPONS** be adopted.

Mr. Heise gave a brief explanation of the Supreme Court decision regarding the case of McDonald vs. Chicago, et. al. Although the Village's handgun ordinance was not overturned, the provision regarding the right to possess a handgun in one's home for purposes of self defense was found to be unconstitutional. This amendment would ensure that the Village's ordinance was in compliance with the law.

### **AGENDA ITEM PUBLIC COMMENT**

Daniel E. Fore, 1116 Garfield. Mr. Fore read aloud a letter published in the local newspaper regarding handgun owners.

The roll call on the vote was as follows:  
AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope  
NAYS: None  
ABSENT: Trustee Pate  
The ordinance was adopted

- I. It was moved and seconded that Ordinance 2010-0-48 entitled **ORDINANCE AUTHORIZING AN EXTENSION OF THE CONSTRUCTION TIMELINE FOR PLANNED DEVELOPMENT ORDINANCE NO. 2009-0-017; HOME AVENUE TOWNHOMES (SOHO DEVELOPMENT) LOCATED AT THE SOUTHWEST CORNER OF HOME AVENUE AND SOUTH BOULEVARD** be adopted.

Trustee Johnson expressed concern regarding the state of construction of the public right-of-way and that it should not be included in the extension. There was a brief discussion.

It was moved and seconded to amend the original motion to condition this approval **“upon the correction and return to appropriate form of the right-of-way within a 90-day period”**.

The roll call on the vote was as follows:  
AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope  
NAYS: None  
ABSENT: Trustee Pate  
The motion was approved.

It was moved and seconded that Ordinance 2010-0-48 entitled **ORDINANCE AUTHORIZING AN EXTENSION OF THE CONSTRUCTION TIMELINE FOR PLANNED DEVELOPMENT ORDINANCE NO. 2009-0-017; HOME AVENUE TOWNHOMES (SOHO DEVELOPMENT) LOCATED AT THE SOUTHWEST CORNER OF HOME AVENUE AND SOUTH BOULEVARD UPON THE CORRECTION AND RETURN TO**

**APPROPRIATE FORM OF THE RIGHT-OF-WAY WITHIN A 90-DAY PERIOD** be adopted as amended.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The ordinance was adopted.

- O. It was moved and seconded to approve a **Motion to Amend the 2010 Citizen Involvement Commission Work Plan to Review the Current Enabling Language of all Boards and Commissions and Make Recommendations to the Village Board.**

Village Clerk Powell stated that there had been prior discussion by several Board members of the possibility of looking at current enabling language to see if it was up to date and if there were any other modifications that needed to be made in the composition or structure of the various boards and commissions. She also noted that they would explore the option of combining commissions with similar responsibilities.

Trustee Johnson suggested the motion be amended to include that the CIC will investigate any needed changes or updates to the current commissions, especially as to the size, duties and number of commissions.

It was moved and seconded to amend the original motion to include that the CIC will **“investigate any needed changes or updates to the current commissions, especially as to the size, duties and number of commissions”**.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The motion was approved.

It was moved and seconded to approve a **Motion to Amend the 2010 Citizen Involvement Commission Work Plan to Review the Current Enabling Language of all Boards and Commissions, Investigate any Needed Changes or Updates to the Current Commissions, Especially as to the Size, Duties and Number of Commissions and Make Recommendations to the Village Board** as amended.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The motion was approved.

- P.5 It was moved and seconded that Resolution 2010-R-93 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ELGIN SWEEPING SERVICES INC. OF CHICAGO, ILLINOIS, FOR VILLAGE WIDE STREET SWEEPING IN AN AMOUNT NOT TO EXCEED \$110,000 AND AN ORDINANCE AUTHORIZING THE**

**DISPOSAL OF AN ELGIN STREET SWEEPER** be adopted.

Mr. Heise stated that there was additional language to be added; “contingent upon reaching agreement or impasse with the Teamsters Union concerning the contracting out of street sweeping services”.

It was moved and seconded to amend the original motion to include the language **“contingent upon reaching agreement or impasse with the Teamsters Union concerning the contracting out of street sweeping services”**.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The motion was approved.

It was moved and seconded that Resolution 2010-R-93 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ELGIN SWEEPING SERVICES INC. OF CHICAGO, ILLINOIS, FOR VILLAGE WIDE STREET SWEEPING IN AN AMOUNT NOT TO EXCEED \$110,000 AND AN ORDINANCE AUTHORIZING THE DISPOSAL OF AN ELGIN STREET SWEEPER CONTINGENT UPON REACHING AGREEMENT OR IMPASSE WITH THE TEAMSTERS UNION CONCERNING THE CONTRACTING OUT OF STREET SWEEPING SERVICES** be adopted as amended.

Trustee Hedges commented that there was a low bidder, G. A. Paving, who was not awarded the contract and asked why.

Human Resources Director Frank Spataro explained that Public Works had met with G. A. Paving and determined that they were not equipped to handle the work; they had not performed this type of work in the past.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The resolution was adopted.

- S.** It was moved and seconded that Ordinance 2010-O-49 entitled **ORDINANCE AUTHORIZING A SPECIAL USE FOR A ROOFTOP WIRELESS BROADBAND FACILITY AT 715 LAKE STREET AS REVIEWED AT THE JUNE 21, 2010 MEETING** be adopted.

President Pope noted that typically, the Board receives this type of information through the Zoning Board of Appeals process, and asked if there would be a willingness to amend this to reflect authorization subject to the provision of that information.

It was moved and seconded that Ordinance 2010-O-49 entitled **ORDINANCE AUTHORIZING A SPECIAL USE FOR A ROOFTOP WIRELESS BROADBAND FACILITY AT 715 LAKE STREET AS REVIEWED AT THE JUNE 21, 2010 MEETING** be adopted as amended.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The resolution was adopted.

### **CONSENT AGENDA**

*All Ordinances and Resolutions adopted herein  
are herewith ordered filed in the Office of the Village Clerk*

- G. Motion to Receive the FY 2009 Comprehensive Annual Financial Report
- H. Ordinance 2010-0-50 entitled **ORDINANCE AUTHORIZING AN EXTENSION OF THE CONSTRUCTION TIMELINE FOR PLANNED DEVELOPMENT ORDINANCE NO. 2009-0-089; MADISON HIGHLANDS (229, 231-245, 301-307) MADISON STREET AND 511 S. HARVEY AVENUE) LOCATED AT THE SOUTHWEST CORNER OF MADISON STREET AND HARVEY AVENUE**
- J. Resolution 2010-R-94 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH CDS OFFICE SYSTEMS, INC. FOR ACQUISITION OF MOBILE DATA COMPUTERS AND VIDEO SYSTEMS IN AN AMOUNT NOT TO EXCEED \$62,228**
- K. Resolution 2010-R-95 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COOK COUNTY STATE'S ATTORNEYS OFFICE AND THE VILLAGE OF OAK PARK FOR SPACE SHARING AT 4 AND 6 CHICAGO AVE., OAK PARK, IL**
- L. Resolution 2010-R-96 entitled **RESOLUTION AUTHORIZING THE EXTENSION OF A BROKER SERVICES CONTRACT WITH DAVID KING AND ASSOCIATES FOR THE MARKETING AND SALE OF VILLAGE OWNED COMMERCIAL PROPERTY**
- M. Ordinance 2010-0-51 entitled **ORDINANCE AUTHORIZING AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT DATED 6/29/09 WITH LAKE STREET INVESTORS ALLOWING FOR A 30 DAY EXTENSION OF THE REQUIRED DEMOLITION OF THE BUILDING LOCATED AT LAKE STREET AND FOREST AVE AS OUTLINED IN SECTION 12.12 OF THE R.D.A.**
- P.1. Resolution 2010-R-97 entitled **RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH HARRY S. PETERSON COMPANY FOR CLEANING, SEALING AND STRIPING LEVEL ONE AT HOLLEY COURT GARAGE IN AN AMOUNT NOT TO EXCEED \$28,000**
- P.2. Resolution 2010-R-98 **RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH MYS INCORPORATED FOR PROJECT 10-10, OVERFLOW MODIFICATIONS FOR THE CENTRAL RESERVOIR IN AN AMOUNT NOT TO EXCEED \$254,791**

- P.4. Resolution 2010-R-99 **RESOLUTION AUTHORIZING A CONTRACT WITH DAVIS TREE CARE AND LANDSCAPING, INC. OF RIVER FOREST, IL FOR 2010 EMERGENCY STORM DAMAGE CLEAN UP SERVICES IN AN AMOUNT NOT TO EXCEED \$40,000**
- Q. Resolution 2010-R-100 entitled **RESOLUTION AUTHORIZING THE PLACEMENT OF BRICK PAVERS IN THE VILLAGE RIGHT-OF-WAY AT 436 NORTH SCOVILLE AVENUE**
- R. Resolution 2010-R-101 entitled **RESOLUTION AUTHORIZING EXECUTION OF A PARKING PERMIT LICENSE AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND ZIPCAR FOR VILLAGE PARKING LOTS 32 (LAKE AND FOREST GARAGE), LOT 9 (1118 NORTH BOULEVARD) AND LOT 34 (300 SOUTH BOULEVARD)**
- X. Ordinance 2010-0-52 entitled **ORDINANCE AUTHORIZING AN AMENDED SALES CONTRACT FOR 1113 LAKE STREET**

### **Approve the Consent Agenda**

It was moved and seconded to approve the items under the Consent Agenda.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The Consent Agenda was adopted.

### **CALL TO THE BOARD AND CLERK**

Village Clerk Powell commended the Root Riot celebration on Madison Street.

Trustee Hale commented that he enjoyed working with District 97 on several issues and wished the best to the new superintendent.

Trustee Lueck stated that cleanup from the storm was just about completed and thanked the Public Works Department for their hard work. She commented that crime in Oak Park was down and foreclosures were up, although Oak Park was less hard-hit than other communities. She stressed the importance of follow up on the report from the Collaboration for Early Childhood Care. She also stated her position on the Living Wage.

Trustee Johnson noted that the Personnel Subcommittee was finishing up the mid-year review of the Village Manager and would have that to the Board shortly. He also stated that a follow up meeting with the Pension Board needed to be scheduled.

Village Manager Barwin reminded everyone that on the last Saturday of each month, residents may dispose of their obsolete electronics at the Public Works building.

President Pope praised Mr. Barwin and his staff and the good job they are doing in such challenging times. He spoke about the Supreme Court decision and assured everyone that the public safety of all residents will not be compromised.



**ADJOURN**

It was moved and seconded to adjourn the meeting. A voice vote was taken and the motion was approved. The meeting adjourned at 9:27 P.M. Monday, July 19<sup>th</sup>, 2010.

**SUBMITTED AND RECORDED IN THE OFFICE OF:**

By: MaryAnn Schoenneman  
Executive Secretary

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Teresa Powell, Village Clerk