

**APPROVED MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, JUNE 4TH, 2012 AT 6:30 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pope called the meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Trustees Brewer, Hedges, Johnson and Tucker; President Pope

ABSENT: Trustees Lueck and Salzman

**III. ADJOURN TO EXECUTIVE SESSION TO DISCUSS MINUTES,
COLLECTIVE BARGAINING AND LITIGATION**

In compliance with the Open Meetings Act, it was moved and seconded to adjourn to Executive Session to discuss minutes, collective bargaining and litigation in Room 130.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson and Tucker; President Pope

NAYS: None

ABSENT: Trustees Lueck and Salzman

The motion was approved.

IV. RETURN TO OPEN MEETING 7:30 PM IN COUNCIL CHAMBERS

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

ABSENT: None

The Regular Meeting reconvened at 7:30 p.m. in Council Chambers.

V. AGENDA APPROVAL

President Pope noted that Items B and C on the tentative agenda regarding pigeon euthanasia were removed from the final agenda. It was moved and seconded to approve the agenda for the meeting. A voice vote was taken and the agenda was approved as presented.

VI. MINUTES

It was moved and seconded that the minutes of the Regular Meeting of May 21, 2012, be approved. A voice vote was taken and the minutes were approved as presented. Trustees Brewer and Salzman abstained.

VII. NON-AGENDA PUBLIC COMMENT

Marie Perkins, 250 S. Maple Ave., #7. Ms. Perkins spoke in opposition to euthanizing pigeons and other birds mentioned in the proposed ordinance and asked that the Board vote against this.

President Pope clarified that no action would be taken on this item at this time.

Nancy Nemetz, 1035 Pleasant St. Ms. Nemetz also spoke against euthanasia of pigeons and suggested various alternatives.

Vadim Katznelson, 237 Washington Blvd. Mr. Katznelson stated that people needed to be humane to all animals.

Debra Winkelman, 9645 S. Harlem, Unit 3H, Chicago Ridge. Ms. Winkelman discussed the nature of pigeons and provided documentation regarding this to the Board.

Jakob Eriksson, 403 N. East Ave. Mr. Eriksson stated that he is willing to accommodate these birds in his yard.

Jenny Tiner, 27 Harrison. Ms. Tiner opposed using bird spikes and urged that netting be removed from the viaduct, as she believes that pigeons are currently trapped there.

**VIII. PROCLAMATION – LESBIAN, GAY, BISEXUAL AND
TRANSGENDER PRIDE MONTH, JUNE 2012**

President Pope read the proclamation aloud. It was moved and seconded that the proclamation entitled **LESBIAN, GAY, BISEXUAL AND TRANSGENDER PRIDE MONTH, JUNE 2012** be adopted. A voice vote was taken and the proclamation was adopted.

Bruce Broerman, 1043 S. Harvey, representing the Oak Park Area Lesbian and Gay Association. Mr. Broerman spoke about the Oak Park Domestic Partner Registry and presented a framed copy of the Illinois Religious Freedom Protection and Civil Union Act to be displayed at Village Hall.

**IX. RESOLUTION – SUPPORTING EQUAL ACCESS TO HOUSING REGARDLESS
OF SEXUAL ORIENTATION OR GENDER IDENTITY**

President Pope read the resolution aloud. It was moved and seconded that the resolution entitled **SUPPORTING EQUAL ACCESS TO HOUSING REGARDLESS OF SEXUAL ORIENTATION OR GENDER IDENTITY** be adopted. A voice vote was taken and the resolution was adopted.

**X. PRESENTATION – OAK PARK AREA ARTS COUNCIL
PRESENTATION OF SCHOLARSHIP AWARDS**

John Mayes, Chair of the Oak Park Area Arts Council, presented the awards to the following recipients:

Sarah Hasley, Spellman College; Tori Seitelman, Denison University; Mary Skapek, The Boston Conservatory; Marina Vulinovic, University of Chicago and Max Guzzetta, Louisiana State University (Russell C. Lissuzzo Scholarship). Mr. Mayes also thanked the members of the Review Panel.

XI. VILLAGE MANAGER REPORTS

Interim Village Manager Cara Pavlicek announced that work north of I-290 will begin the week of June 11. Work south of I-290 should be completed at that point. She reminded residents that vehicle sticker sales are in progress and encouraged all to buy them online, noting there is a discount for online renewals. Ms. Pavlicek stated that the June 11 Finance Committee Meeting has been cancelled. A Special Meeting of the Board of Trustees has been scheduled in its place to discuss the future of the I-290, specifically concepts regarding on-ramp and off-ramp designs. Representatives from IDOT will be present

XII. VILLAGE BOARD COMMITTEES

A. Report from Intergovernmental (IGOV) Board Committee

Trustee Johnson stated that much discussion has taken place since April 2011 to build the framework which would result in the Intergovernmental Committee effectively working together. He added that they will not propose anything tonight other than to accept the framework of the Intergovernmental Committee. A summary of the history of this group with current members and proposed mission and vision statements and recommended actions to go forward was provided.

Following discussion, it was moved and seconded that a **Motion to Accept the Mission, Vision and Structure of IGOV as proposed** be approved. A voice vote was taken and the motion was approved.

XIII. CITIZEN COMMISSION VACANCIES

President Pope referred to the Board and Commission vacancy report, and urged residents to volunteer.

XIV. CITIZEN COMMISSION APPOINTMENTS, REAPPOINTMENTS, REMOVAL, RESIGNATION AND CHAIR APPOINTMENTS

There were no appointments, reappointments, removals, resignations or chair appointments.

XVI. REGULAR AGENDA

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

- D. It was moved and seconded that a **Motion to Deny a Variance Request to Install an Eight-Foot Tall Fence at 848 N. Harvey Avenue** be approved.

Ms. Pavlicek stated that this had been referred to the Community Relations Department and interviews were conducted with residents on adjacent sides, as well as with the Resident Beat Officer and Zoning Administrator.

Carol Rogala, 850 N. Harvey. Ms. Rogala thanked the Board and staff for their consideration regarding this request.

Pat Tyma, 848 N. Harvey. Ms. Tyma also thanked the Board, noting she would abide by their decision.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The motion was approved.

- E. It was moved and seconded that a **Motion to Accept the Recommendation of the Finance Committee of the Board of Trustees to Re-establish a Performance Management Program and Direct Staff to Prepare the Necessary Documents for Board Approval** be approved.

Budget and Finance Manager James Harris stated that the performance management program will be a strategy used to measure, analyze and improve the services provided by Village Hall. Program drivers will consist of the following: including and engaging program stakeholders, mitigating program risks, investing in performance improvement and leveraging existing performance data and intelligence. A phased deployment approach will be used, beginning with Building and Property Standards, Business Services, Community Planning and Development, Fire, Housing Programs, Police and Public Works. Mr. Harris answered questions from the Board.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The motion was approved.

- F1-3 It was moved and seconded that Ordinance 2012–0-27 entitled **ORDINANCE AMENDING CHAPTER 8, ARTICLE 6 OF THE VILLAGE CODE ENTITLED “COMPREHENSIVE REGULATION OF TOBACCO PRODUCTS”**, Ordinance 2012-0-28 entitled **ORDINANCE CREATING CHAPTER 17, ARTICLE 2, “OFFENSES RELATING TO UNDERAGE DRINKING AND ILLICIT DRUG USE”** AND AMENDING SECTION 3-5-9(A) OF THE VILLAGE CODE ENTITLED **“SALES TO MINORS, HABITUAL DRUNKARDS, AND MENTAL INCOMPETENTS”** and Ordinance 2012-0-29 entitled **ORDINANCE AMENDING CHAPTER 29, ARTICLE 1 OF THE VILLAGE CODE RELATED TO THE SCOPE OF AUTHORITY OF ADMINISTRATIVE LAW JUDGES TO AUTHORIZE ADMINISTRATIVE LAW JUDGES** be adopted.

Village Attorney Simone Boutet stated that there were no changes made to the ordinances since the last reading. These were deferred due to questions raised regarding possible alternatives and privacy concerns. She referred to the memo distributed to the Board addressing those issues. She added that the teen court process is gaining in popularity in Illinois but it is a program that needs to be funded and developed in collaboration with other organizations. Ms. Boutet noted that teen court would address all ordinance violations by a minor. Regarding privacy issues, the Village does have authority in certain circumstances to keep law enforcement records confidential for juveniles, but the court process is generally open and public.

David Boulanger, 207 N. Elmwood, representing Oak Park Township. Mr. Boulanger thanked the Board and staff, adding that these ordinances emphasize education and prevention. Noting that the parent exceptions seemed too broad, he fully supported the ordinances.

Kristine Raino-Ogden, 449 Edgewood Pl., River Forest, representing IMPACT. Ms. Raino-Ogden also thanked the Board. She stated that it is common for parents to protect their child from the ramifications of arrest rather than the ramifications of substance abuse, sending the wrong message to the child. These ordinances can turn that attitude around.

Victoria Scaman, 519 S. Euclid, representing IMPACT. Ms. Scaman stated that these ordinances, designed with therapeutic consequences, are a step in the right direction.

Trustee Johnson expressed concern regarding the ramifications that are created through adjudication and through the FOIA process. Ms. Boutet clarified that the Village cannot legally release these records other than to the military or to hiring bodies of law enforcement. She added that these alternatives are less punitive and much less available than taking the same offenses to circuit court. This protects the privacy of minors in the sense that it isn't part of the juvenile justice system. Explaining teen court, Ms. Boutet stated that it is common in school settings as a method to address minor offenses. If the child successfully completes the teen court program, the offense does not come before adjudication. It is not necessarily a substitute for adjudication.

Trustee Lueck discussed the Reasonable Steps language and noted that this implies that it is an offense not to perform these steps. Ms. Boutet responded that the intent is to require a parent to take some type of action. President Pope clarified that if action is taken to end or prevent a hosting situation from occurring, the parent has a legitimate defense.

Trustee Lueck pointed out that the Board is making value judgments in terms of establishing values for the community and essentially saying to parents that the Board has decided what messages they will give their children. The Board must be very comfortable with that responsibility. Another value judgment is allowing parents to serve alcohol to their children in their homes which is outside of what has been established for the community as a whole. The Board needs to decide if they want to send a message stating that parents should parent the way the Board has

established as a community norm or if they respect their rights as parents to make individual decisions.

There was further discussion regarding privacy issues.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The ordinances were adopted.

- H. It was moved and seconded that a **Consideration of Reauthorization of Micro Loan Program and Motion to Direct Staff to Prepare the Necessary Documents** be approved.

Business Services Manager Loretta Daly gave a brief description of this program, facilitated through the Oak Park Development Corporation, and noted that what is being proposed is to reestablish the program and raise the loan limit from \$20,000 to \$75,000 with a 50% Village loan guarantee. Also being recommended was authorizing the Village Manager to approve micro loans subject to General Fund appropriations to cover at least \$20,000 of the Village exposure from the loan. Ms. Daly added that over the last several years, that program has been authorizing loans up to \$75,000, which at 50% goes beyond the scope of the Village Manager's signing authority. Initially, the program utilized CDBG funding, which carries various requirements that became too burdensome for the program to run efficiently. Consequently, the 2007 OPDC Agreement moved those funds from CDBG to the General Fund, but the enabling documents do not reflect that change.

Trustee Johnson was not comfortable raising the cap to \$75,000 at this time, noting that it is unjustifiable and too big an increase. Sara Faust of OPDC noted that the cap had previously been raised to \$50,000 but this change was not captured in the enabling document. She added that there was a suggestion that the maximum liability for the Village be set at \$150,000, for a total of \$300,000 for the program.

Trustee Brewer commented that loans above \$50,000 are not considered micro loans. In addition, if the maximum loan amount is \$50,000 the Village Manager already has that signing authority. President Pope was agreeable to a \$75,000 cap and granting signing authority of \$37,500, but stated that the Board needed to establish what they are trying to do and why they are doing it and set a policy rather than accommodating past practice. He added that the Board needs to have a conversation about what objective they want to achieve with this program.

Ms. Faust stated that a loan was approved by OPDC in February in an amount greater than \$50,000 but less than \$75,000 which was still pending. Ms. Pavlicek noted that the full contingent liability exceeded her signing authority, and accordingly brought it to the Board resulting in this conversation. Ms. Boutet stated that although the documents need to be reauthorized in general, the Board may authorize just this loan at this time.

Following discussion, President Pope asked the Trustees if they were comfortable with a \$50,000 or \$75,000 limit. Trustee Lueck was comfortable with \$50,000 but added that an exception should be made to approve the current loan before them as a separate loan. Trustees Salzman, Hedges, Tucker, Brewer and Johnson agreed.

Ms. Pavlicek stated that a budget amendment, in addition to the amount of the current outstanding liability, would be brought back to the Board.

XVII. CONSENT AGENDA

- I1. Resolution 2012-R-96 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND ENVISION SUSTAINABILITY TOOLS, INC. IN AN AMOUNT NOT TO EXCEED \$60,000 AS A SUB-RECIPIENT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY CHALLENGE PLANNING GRANT**
- I2. Resolution 2012-R-97 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS ON BEHALF OF NATHALIE P. VOORHEES CENTER FOR NEIGHBORHOOD AND COMMUNITY IMPROVEMENT AT THE UNIVERSITY OF ILLINOIS, CHICAGO IN THE AMOUNT OF \$50,000 AS A SUB-RECIPIENT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY CHALLENGE PLANNING GRANT**
- J1. Resolution 2012-R-98 entitled **RESOLUTION AUTHORIZING A REHABILITATION LOAN AND A LEAD HAZARD REDUCTION GRANT: SFR-046**
- J2. Resolution 2012-R-99 entitled **RESOLUTION AUTHORIZING A REHABILITATION LOAN AND A LEAD HAZARD REDUCTION GRANT: SFR-047**
- K. Resolution 2012-R-100 entitled **RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH SCHROEDER & SCHROEDER FOR PROJECT 12-4, LOCAL ALLEY IMPROVEMENTS**
- L. Ordinance 2012-O-30 entitled **ORDINANCE AUTHORIZING THE DISPOSITION OF SURPLUS VEHICLES ON AN "AN IS" BASIS**
- M1. Resolution 2012-R-101 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH SUPERIOR ROAD STRIPING INC., FOR THERMOPLASTIC PAVEMENT MARKINGS, WAIVING THE VILLAGE'S FORMAL BID PROCESS**
- M2. Resolution 2012-R-102 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH ALLIED DOOR FOR INSTALLATION OF TWO NEW HIGH-SPEED OVERHEAD DOORS FOR THE PUBLIC WORKS CENTER IN AN AMOUNT NOT TO EXCEED \$68,060.00**
- N. **Motion to Refer Application for Special Use Permit from Oak Leaf Academy LLC. To Operate a Day-Care Center at 1046-48 Pleasant Street to the Zoning Board of Appeals to Hold a Public Hearing**

- O. Resolution 2012-R-103 entitled **RESOLUTION TO APPROVE THE LEASE PURCHASE OF A FOSTER COACH/MEDTEC AMBULANCE IN THE AMOUNT OF \$162,700 WAIVING THE VILLAGE'S BID PROCESS TO PARTICIPATE IN THE NORTHWEST MUNICIPAL LEAGUE'S JOINT BID PROCESS**
 - P. Ordinance 2012-O-31 entitled **ORDINANCE GRANTING APPROVAL FOR 2012 GALA FOURTH OF JULY FIREWORKS DISPLAY**
 - S. Resolution 2012-R-104 entitled **RESOLUTION AUTHORIZING EXECUTION OF A LETTER OF INTENT BETWEEN THE VILLAGE OF OAK PARK, THE KOREAN SMART GRID INSTITUTE AND THE ILLINOIS SMART COMMUNITIES**
 - T. Resolution 2012-R-105 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT FOR YOUTH INTERVENTIONIST/COORDINATORS**
- XVIII. Motion to Approve the Bills in the Amount of \$555,305.85 for the Week Beginning May 21st through June 1st.

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, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The Consent Agenda was approved.

CALL TO THE BOARD AND CLERK

Village Clerk Powell discussed the anniversary of the Civil Union bill and Oak Park's Domestic Partner Registry. She also commended a film she saw, developed by a group at OPRF High School in collaboration with Sarah's Inn, on the subject of teen dating violence. Clerk Powell also congratulated all 2012 graduates of elementary school, high school, college and beyond.

Trustee Johnson recommended better linkage in public messages between vehicle sticker funds and the Village's street maintenance program. He spoke about his attendance at Uncork Illinois over the weekend and thanked all involved for their efforts.

Trustee Brewer discussed his experience making donuts at the Farmers Market with the Oak Park Regional Housing Center.

Trustee Tucker thanked all the volunteers who put together all the events that occurred in the Village over the weekend.

Trustee Hedges spoke about Day in Our Village and noted that he had some very impressive conversations with some of the residents.

Trustee Salzman also spoke highly of this year's Day in Our Village, adding that it seems to draw more people each year. He gave special praise to the Sugar Beet Co-op and their work with urban agriculture.

Trustee Lueck announced that the Illinois House passed its budget bill and was awaiting Governor Quinn's signature.

President Pope praised the Performance Measurement Program that the Board approved this evening, adding that in a state that's not known for responsible governance, this is the hallmark of responsible governance, and will help the Board make effective decisions on behalf of the community. He was also pleased about the letter of intent to formalize a possible partnership with the Korean Smart Grid Institute. He stated that decisions that are made ultimately bear fruit, after years and sometimes decades, that benefit the community, adding that Oak Park is a forward thinking, progressive community that is not afraid of taking new steps into the future.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 11:04 P.M. Monday, June 4, 2012.

SUBMITTED AND RECORDED IN THE OFFICE OF:

Teresa Powell, Village Clerk

By: MaryAnn Schoenneman
Interim Deputy Village Clerk