

**APPROVED MINUTES - SPECIAL BOARD MEETING  
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK  
HELD ON MONDAY, DECEMBER 5<sup>TH</sup>, 2011 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, Lueck, Salzman and Tucker; President Pope  
ABSENT: None

**III. MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION**

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

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.

**IV. ADJOURN**

**EMPLOYEE "YEARS-OF-SERVICE" RECOGNITION CEREMONY**

Village Manager Tom Barwin recognized employees for 5, 10, 15, 20, 25, 30 and 35 years of service.

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

The Special Meeting reconvened at 7:38 p.m. in Council Chambers.

**II. ROLL CALL**

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope  
ABSENT: None

**III. AGENDA APPROVAL**

It was moved and seconded to approve the agenda for the meeting. President Pope stated that the Village Manager Reports would be added. It was moved and seconded to approve the agenda as amended. A voice vote was taken and the agenda was approved as amended.

**IV. NON-AGENDA PUBLIC COMMENT**

There was no public comment.

**V. MINUTES**

It was moved and seconded that the minutes of the Special Meeting of November 10, 2011 be approved. A voice vote was taken and the minutes were approved as presented.

**VI. CITIZEN COMMISSION APPOINTMENTS, REAPPOINTMENTS, REMOVAL, RESIGNATION AND CHAIR APPOINTMENTS**

It was moved and seconded to concur in the following appointment by President Pope:

**Board of Health**

Appointment of Kamana Mbekeani, as Chair, with a term to expire December 5, 2014

A voice vote was taken and the motion was approved.

**VILLAGE MANAGER REPORTS**

Mr. Barwin reflected on some of the past year's key events and accomplishments. He stated that over the weekend, there was an unprecedented announcement for a major housing initiative and turned the meeting over to Housing Services Manager Tammie Grossman. Ms. Grossman announced that the West Cook County Housing Collaborative was awarded \$7.2 million in grants for housing development. She added that the Collaborative, which includes the municipalities of Berwyn, Forest Park, Maywood, Bellwood as well as Oak Park, has received a total of \$11 million in funding these past two and a half years.

**VII. REGULAR AGENDA**

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

- B. **Presentation of the Plan Commission's Recommendations and Findings of Fact as Proposed for 938-954 Lake Street and 170 N. Forest Avenue to Deny the Applicant's Request for an Amendment to Planned Ordinance 2010-0-014**

David Barsotti, 1109 Holly Court. Mr. Barsotti discussed the developer and urged the Board not to support this project.

Lenore Harris, 225-C N. Kenilworth. Ms. Harris spoke on behalf of the Kenilworth Terrace Condo Association and also asked the Board to deny the developer's request.

Kevin Murphy, 210 Forest Ave. Mr. Murphy discussed the developer's request for the numerous variances in the zoning ordinance and asked the Board to deny them.

Nancy Nemetz, 1035 Pleasant St. Ms. Nemetz spoke in favor of the Board moving forward with the development.

Mila Tellez, 223 S. Grove. Ms. Tellez, on behalf of the Nineteenth Century Charitable Association, stated that she felt comfortable with this project and will work with the developer and with the Village.

Paul Beckwith, 721 Ontario. Mr. Beckwith stated that this project will bring job opportunities to the Village and generate revenue.

Plan Commission Chair Linda Bolte stated that the key factors leading to the 4-4 vote by the Plan Commission were based on the density issue and traffic associated with cars entering and leaving the garage.

Michael Glazier of Sertus Capital Partners explained the rationale behind the modifications. In repurposing this project, the architectural team was asked to determine the number of units that would work within the existing approved structure using a standard mix of units. The final total came to 270 units. Had this not fit, the project would have required reengineering with a different design. They also looked at what the marketplace would support in terms of demand, type and size of units in comparison to similar locations.

Brian Vitale of Gensler Architects discussed changes to the outside design and materials of the structure and presented examples of other projects that were built using architectural precast construction.

Mr. Glazier spoke about parking and traffic issues. A parking and traffic study determined that a one-to-one parking space ratio works well, as confirmed by staff. This project proposes 18 additional spaces for a total of 288. This includes three I-GO cars for use by residents. He noted that apartment buildings seldom achieve 100% occupancy; an expected 5% vacancy rate would provide 14 additional parking spaces to accommodate demand. With respect to the traffic study, no significant detrimental impact on traffic flow in the area of the project was anticipated. With the change from hotel to apartments, there has not been a significant change; the study projected that there would be 52 fewer trips in the area on Saturdays with the revised use.

Rolando Acosta, attorney for the firm, spoke about the Plan Commission's Findings of Fact and indicated that no negative impacts were identified. He added that the developer found it to be logical and appropriate to repurpose that building for residential use rather than starting over, as the overall design had already been

approved. Mr. Acosta noted that ample additional parking is available in the area. An oversupply of parking would actually hurt the Village, which desires to fully utilize their revenue generating parking. He added that a good balance of public and private parking has been achieved by this proposal. He also reiterated Mr. Glazier's comments regarding minimal traffic impact.

Mr. Acosta spoke about density and noted that 270 units is consistent with the Comprehensive Plan and will not have substantial detrimental effects on the community. The Comprehensive Plan designates this property as within the high density area for Downtown Oak Park: up to 200 units per acre, or 313 units on this site. The proposal of 270 units is well below that maximum. He also noted that the Downtown Master Plan calls for 1,200 units to be built in the Downtown area; a density unique to this Master Plan area.

The Board asked for further information to be addressed during the next presentation: the Plan Commission's responsibility to focus on established standards versus a focus on opinions; a possible opportunity to direct guest parking to Holley Court Garage to mitigate concerns raised by the Plan Commission that tenants or guests would use public parking spaces; exploration of whether the Village could require the developer to work with them as well as the Housing Center on affirmative housing strategies and focus on maintaining renter diversity in this building; an independent economic analysis; original projections for Whiteco versus actual return to the community; investigation of technology that would both improve traffic flow in the area and make it safer for pedestrians; a summary of the Urban Land Institute Multi-Family Housing Case Study; documentation of where the Plan Commission applied evidence to concerns raised regarding traffic congestion; identification of traffic hot spots and how to mitigate concerns if this project moves forward; identification of what type of glass is being used on this building and glare impacts on the community; identification of the cost to the Village for building a similar garage independently as well as the cost to repair and maintain the current garage; an independent analysis of the developer and their financial capabilities; an explanation of why the 19<sup>th</sup> Century Club is receiving a \$50,000 cash payment; whether the underlying zoning code is, in fact, the right land mass per unit; and a comparison of property taxes paid pre-development and now for other Planned Development projects that have been approved and developed.

### **C. Final Review and Ordinances Related to the Adoption of the Proposed 2012 Budget**

Chief Financial Officer Craig Lesner noted that two different versions of the ordinance regarding collection of garbage and refuse and recycling charges were presented. One of them included the new brush pickup program.

Trustee Hedges suggested that if the Board passes the ordinance that includes the brush pickup program, to delay actually starting the program until there is an opportunity to look at the Village's financial position.

Trustee Lueck raised the subject of funding to partner agencies. She stated that the request from the Housing Center, which is for \$20,000 more than what is allocated in the budget, is a reasonable request; the Board should consider including this and the Housing Authority's request as well.

Mr. Barwin noted that staff liaisons to the partner agencies felt that the funding levels in the recommended budget were adequate for 2012. He added that Early Childhood Development and Oak Park Area Arts Council were given increases to accommodate specific requests. Trustee Brewer commented that the Oak Park Development Corporation received a 1% increase as well and asked why the others remained at 2011 levels.

Sarah Faust of OPDC discussed agency costs and noted that they, like the Village, sustained substantial cuts in 2008, 2009 and 2010, reducing staff by 20%. However, she can adjust her budget should the Board not approve the increase. Trustee Brewer stated that as a matter of principle, unless a specific reason for an increase was noted, the Board has made it a point not to give general increases. Perhaps this should be looked at again to make that the case, or allow small increases for each of the agencies to accommodate some of the loss in personnel or increased costs that they may have experienced.

Trustee Hedges suggested that next year, the Board look at the services that are provided by each one of these partner agencies and evaluate them on a case by case basis. He also commented that this year, the budget process wasn't as disciplined as last year and suggested that parts of it be looked at again by the Finance Committee in January for possible adjustments.

Trustees Tucker and Salzman agreed. Trustee Salzman also noted that there was a substantial difference in the level of detail this year. Certain discussions, such as this one regarding partner agencies, should have been integrated into the process.

Mr. Lesner stated that partner contracts will be coming before the Board in January, providing an opportunity to talk with each partner agency in detail. Any modifications could be made at that time.

President Pope referred to the ordinance regarding garbage collection rates. He stated that the brush pickup program could be incorporated or not; either way this could be reviewed by the Finance Committee at a later time. Trustee Hedges commented that if it were omitted now, it would most likely not get back in.

Following a discussion regarding this proposed fee increase, the conversation returned to whether to approve the budget overall. Trustee Johnson stated that there was no information explaining why \$15,000 was needed to update the bike plan. He also asked for clarification regarding the new economic development coordinator position. Mr. Barwin gave an overview of the responsibilities of this position. President Pope stated that this should be discussed in greater detail in January as well.

After a discussion regarding \$50,000 allocated to Housing Programs to compensate for possible reductions in CDBG funding, it was agreed to reduce that amount to \$25,000.

Trustee Johnson asked for clarification for the \$25,000 budgeted under Human Relations. Mr. Barwin explained how that amount would be used.

- 1-2 It was moved and seconded that Ordinance 2011-0-84 entitled **ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE VILLAGE OF OAK PARK FOR ITS FISCAL YEAR BEGINNING JANUARY 1, 2012 AS DISCUSSED DURING THE 2012 BUDGET SESSIONS**, amended by adjusting the CDBG replacement funding for Housing from \$50,000 to \$25,000 and Ordinance 2011-0-85 entitled **ORDINANCE AMENDING SECTION 20-7-2 (E) OF THE VILLAGE CODE RELATING TO RATES FOR COLLECTION OF GARBAGE, REFUSE AND RECYCLING CHARGES**, listing rates for collection of garbage, refuse and recycling charges at \$88,000, be adopted.

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.

3. Mr. Lesner explained that Items C.3a and C.3b address money from the Madison Street TIF and the Harlem-Garfield TIF to be reserved for economic development projects.

After discussion, President Pope stated that Item C.3a would be amended by changing the first sentence, *“Be it Resolved by the President and Board of the Village of Oak Park, that the Village Board has received and accepts, subject to....”* to read *“Be it Resolved by the President and Board of the Village of Oak Park, that the Village Board receives, subject to....”*.

It was moved and seconded that Resolution 2011-R-187 entitled **RESOLUTION SETTING ASIDE FUNDS IN THE MADISON STREET TIF** be adopted as amended.

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 resolution was adopted.

It was moved and seconded that Resolution 2011-R-188 entitled **RESOLUTION SETTING ASIDE FUNDS IN THE HARLEM-GARFIELD TIF** be adopted.

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 resolution was adopted.

- D. It was moved and seconded that a **Motion to Receive the Madison Street Infrastructure Streetscape Plan and Direct Staff to Prepare for Further Board Review in the First Quarter of 2012** be approved.

Gary Cuneen, 616 S. Harvey. Mr. Cuneen discussed the proposed Road Diet and spoke in favor of increased bike and pedestrian friendly streets in the Village.

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. Reinventing Government Committee Report to the Board**

Mr. Barwin announced that after reviewing the Village Law Department, the Committee has recommended that the Village explore outsourcing Law Department responsibilities. These services would cover areas such as general municipal labor, tax increment finance, planning and zoning, finance and traffic court adjudication.

Trustee Hedges commented that this was an opportunity to take another look at how things can be done. Trustee Tucker agreed, adding that this is a step in the process of comparing Village legal costs and services. This doesn't rule out the possibility of maintaining an in-house attorney to coordinate services.

Trustee Johnson stated that the Board should review alternatives closely, as early review indicated that the Village would actually save money by keeping an internal attorney. If the Village gets prices for outside services, the cost structure for the same activities provided by staff internally should be reviewed and compared.

President Pope clarified the proposal from the Committee; the final decision could consider all services in house or outsourced as well as some combination of services.

Village Attorney Simone Boutet stated that the operational reality of what happens on a day-to-day basis in the Law Department was not completely discussed by the Reinventing Government Committee. She added that the Village uses outside attorneys who are experts in a particular area of practice but an internal staff presence ensures that the Village actually follows appropriate legal advice. Ms. Boutet described a constant flow of legal questions which come to her on a daily basis. Whether an attorney is a staff member or from an outside law firm, this person needs to be present at Village Hall.

Trustee Brewer asked if there was any consideration of separating the roles of Village Attorney and Board Attorney. Trustee Hedges stated that State Statute may require this to be a single position. Trustee Brewer noted that the current Village structure creates a reporting and performance evaluation conflict. Trustee Salzman noted that a review of other municipalities showed a variety of structural arrangements of in-house counsel and outsourcing with many models to look to for guidance.

**G. Resolution Authorizing the Execution of a Contract with De Kalb Mechanical for Design /Build Services for a Geothermal HVAC System for Village Hall Council Chambers in an amount not to exceed \$215,000.00**

Michele Gurgas, 1047 Highland Ave. Ms. Gurgas, Chair of the Environment and Energy Commission, discussed the advantages of installing a geothermal HVAC system.

Trustee Hedges commented that despite a proposed reduction in the Village's carbon footprint, this system costs \$50,000 more than others considered and provides no energy savings. In addition, the structure will introduce a new architectural feature into the building, which will alter the look of this unique design.

Public Works Director John Wielebnicki explained how and where the unit could be installed. After discussion, it was decided that this item would be brought back to the Board after further investigation by Mr. Wielebnicki.

- R. It was moved and seconded that Ordinance 2011-0-86 ENTITLED **ORDINANCE RELATED TO BEEKEEPING IN THE VILLAGE OF OAK PARK (ORDINANCE CREATING CHAPTER 20, ARTICLE 11 AND AMENDING CHAPTER 16, ARTICLE 1, SECTION 4)** be adopted.

The roll call on the vote was as follows:

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

NAYS: Trustee Johnson

ABSENT: None

The ordinance was adopted.

#### **VIII. CONSENT AGENDA**

- F. Ordinance 2011-0-87 entitled **ORDINANCE AUTHORIZING THE DISPOSITION OF SURPLUS VEHICLES ON AN "AS IS" BASIS**
- H.1 Resolution 2011-R-189 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A WATER METER AND WATER METER PARTS PURCHASE AGREEMENT WITH NORTHERN WATER WORKS SUPPLY/FERGUSON WATER WORKS FOR THE TOTAL AMOUNT NOT TO EXCEED \$282,000 AND WAIVING THE VILLAGE'S BID PROCESS**
- H.2 Resolution 2011-R-190 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF SERVICE AGREEMENT WITH NORTHERN WATER WORKS SUPPLY/FERGUSON WATER WORKS IN AN AMOUNT NOT TO EXCEED \$18,000 FOR ADMINISTRATIVE SUPPORT FOR THE VILLAGE'S WATER METER**
- I. Resolution 2011-R-191 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A ONE YEAR AGREEMENT WITH WINKLER'S TREE SERVICE OF LAGRANGE PARK, ILLINOIS FOR 2012 TREE PRUNING SERVICES NOT TO EXCEED \$135,000.00**
- J. Resolution 2011-R-192 entitled **RESOLUTION AMENDING THE GUIDELINES OF THE MULTI-FAMILY HOUSING INCENTIVES PROGRAM TO DISTINGUISH BETWEEN BUILDING IMPROVEMENT AND UNIT IMPROVEMENT GRANTS AND TO SHORTEN THE COMMITMENT PERIOD FROM FIVE (5) YEARS TO THREE (3) YEARS**

- K. Resolution 2011-R-193 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR INTERGOVERNMENTAL COOPERATION BETWEEN VILLAGE OF OAK PARK AND WEST SUBURBAN CONSOLIDATED DISPATCH CENTER FOR INFORMATION TECHNOLOGY SERVICES**
- L. Resolution 2011-R-194 entitled **RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT FOR INTERGOVERNMENTAL COOPERATION BETWEEN VILLAGE OF OAK PARK AND VILLAGE OF RIVER FOREST FOR INFORMATION TECHNOLOGY SERVICES**
- M1. Resolution 2011-R-195 entitled **RESOLUTION AUTHORIZING A CONTRACT WITH CARRIE WASHINGTON IN AN AMOUNT NOT TO EXCEED \$50,000**
- M2. Resolution 2011-R-196 entitled **RESOLUTION AUTHORIZING A CONTRACT WITH L. ANITA RICHARDSON IN AN AMOUNT NOT TO EXCEED \$50,000**
- M3. Resolution 2011-R-197 entitled **RESOLUTION AUTHORIZING A CONTRACT WITH JOHN STACK IN AN AMOUNT NOT TO EXCEED \$ 25,000**
- M4. Resolution 2011-R-198 entitled **RESOLUTION AUTHORIZING A CONTRACT WITH DARLENE REDMOND IN AN AMOUNT NOT TO EXCEED \$25,000**
- N. **Motion to Accept the 2012 Calendar**
- O. Resolution 2011-R-199 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF INSURANCE FOR 2012**
- S1. Resolution 2011-R-200 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2011 CHEVROLET TAHOE 4X2 POLICE VEHICLE FROM CURRIE MOTORS FLEET OF FOREST PARK, ILLINOIS THROUGH THE SUBURBAN PURCHASING COOPERATIVE JOINT PURCHASING PROGRAM, WAIVING THE VILLAGE'S BID PROCESS**
- S2. Resolution 2011-R-201 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF FOUR 2012 DODGE CHARGER POLICE SEDANS FROM NAPLETON DODGE FLEET GROUP OF WESTMONT, ILLINOIS THROUGH THE SUBURBAN PURCHASING COOPERATIVE JOINT PURCHASING PROGRAM, WAIVING THE VILLAGE'S BID PROCESS**
- S3. Resolution 2011-R-202 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2013 FORD UTILITY ALL-WHEEL DRIVE POLICE VEHICLE FROM CURRIE MOTORS FLEET OF FRANKFORT, ILLINOIS THROUGH THE SUBURBAN PURCHASING COOPERATIVE JOINT PURCHASING PROGRAM, WAIVING THE VILLAGE'S BID PROCESS**
- C.3c Ordinance 2011-O-88 entitled **ORDINANCE AUTHORIZING A BUDGET AMENDMENT TO THE 2011 BUDGET AUTHORIZING ADDITIONAL EXPENDITURES FROM THE GENERAL FUND**

**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 congratulated Ms. Grossman and the Housing Collaboration on the H.U.D. grant. She spoke about the reopening of Marion Street and also announced that the Clerk's Office and many area businesses have a supply of palm cards for individuals seeking assistance. In closing, she spoke about the production at Festival Theater and urged all to attend.

Trustee Hedges stated that the Open Door production that he had attended was outstanding. Trustee Salzman announced that the Intergovernmental Committee would be meeting on Saturday, December 10 from 9:00 a.m. to 12:30 p.m. at the Main Library.

Trustee Johnson spoke about his attendance at the 27<sup>th</sup> Annual International Lesbian and Gay Elected Official Conference.

Trustee Brewer spoke about his attendance at the Diversity Dinner sponsored by the Community Relations Commission.

**ADJOURN**

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 11:56 P.M. Monday, December 5, 2011.

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

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Teresa Powell, Village Clerk

By: MaryAnn Schoenneman  
Interim Deputy Village Clerk