



**TENTATIVE Agenda
President and Board of Trustees
Monday, November 28, 2011
Village Hall
123 Madison Street**

Open Meeting/Special Meeting at 6:30 p.m. The Board is expected to immediately adjourn into Executive Session (Closed Session) in Room 130 at approximately 6:30 p.m. and will return to Open Session in the Council Chambers at 7:30 p.m.

- I. Call to Order
- II. Roll Call
- III. Consideration of Motion to Adjourn to Executive Session to Discuss Litigation in Room 130 at 6:30 p.m.
- IV. Return to Open Session at 7:30 p.m. in the Council Chambers

The President and Board of Trustees welcome you. Statements may be made by citizens at the beginning of the meeting, as well as when agenda items are reviewed. If you wish to make a statement, please complete the "Instructions to Address the Village Board" form which is available at the back of the Chambers, and present it to the staff table at front. When recognized, approach the podium, state your name and address first, and please limit your remarks to three minutes.

Instructions for Non-Agenda Public Comment (3 minutes per person; 30 minutes maximum)

Non-Agenda Public Comment is a time set aside at the beginning of each Regular Meeting for citizens to make statements about an issue or concern that is not on that meeting's Agenda. It is not intended for a dialogue with the Board. You may also communicate with the Board via the Village Board voicemail at 708-358-5784 or email Board@oak-park.us.

Non-agenda public comment will be limited to 30 minutes with a limit of 3 minutes per person. If comment requests exceed 30 minutes, public comment will resume after the items listed under the Regular Agenda are complete.

Instructions for Agenda Public Comment (3 minutes per person; 3 items per person maximum)

Comments are 3 minutes per person per agenda item, with a maximum of 3 agenda items to which you can speak. In addition, the Village Board permits a maximum of three persons to speak to each side of any one topic that is scheduled for or has been the subject of a public hearing by a designated hearing body. These items are noted with a (*).

- V. **Agenda Approval**
- VI. **Minutes – Special Board Meeting of October 24, 2011, Regular Board Meeting of November 7, 2011, Special Board Meeting Minutes of November 14, 2011 and Special Board Meeting Minutes of November 21, 2011**
- VII. **Non-Agenda Public Comment – *Please refer to instructions above.***
- VIII. **Citizen Commission Vacancies**
Overview: This is an ongoing list of current vacancies for the Citizens Involvement Commissions. Residents are encouraged to apply through the Village Clerk’s Office.
- IX. **Citizen Commission Appointments, Reappointments, Removal, Resignation and Chair Appointments**
Overview: Names are forwarded from the Citizens Involvement Commission to the Village Clerk and then forwarded to the Village President for recommendation. If any appointments are ready prior to the meeting, the agenda will be revised to list the names.

Community Design Commission – Teresa Heit-Murray, Appoint as Member
- X. **Awards Ceremony - Cavalcade of Pride Awards (30 min)**
Overview: The Cavalcade of Pride awards program was established in 1972 to recognize both residential and business property owners for their efforts in beautifying, maintaining and improving their properties while fostering a sense of community pride. The Community Design Commission will present their 2011 Cavalcade of Pride program winners in the following categories; Single Family Residential, Multiple-Family Residential, Commercial, Special Use, and Good Neighbor .
- XI. **Resolution in Support for a Truly Multimodal Purpose and Need Statement to Serve as the Foundation for the Eisenhower (1-290) Transportation Corridor Environmental Impact Study**
- XII. **Regular Agenda**
 - A. **Presentation and Recommendation by the Madison Street Streetscape Steering Committee to Accept the Madison Street Streetscape Plan and Recommendation to Finance Madison Street Improvements (60 min)**
Overview: Altamanu, the planning consultants hired in December 2010, will present proposed streetscape improvements for Madison Street. The consultants along with the steering committee held several meetings, including two public meetings and a meeting specifically with the Madison Street Business Association. The consultants will provide the Village Board with a recommendation for improvement that incorporates a Complete Street concept, which the Village Board supported village-wide by Resolution 2010-R-125, and a Road Diet concept all which includes improvements to curbs, sidewalk, street lighting, and various pedestrian amenities.
 - 1. **Motion to Accept the Madison Street Streetscape Plan**
 - 2. **Resolution for the Madison Street Economic Improvement Investments**

B. Ordinance Related to Beekeeping in the Village of Oak Park (Ordinance Creating Chapter 20, Article 11 and Amending Chapter 16, Article 1, Section 4) As Previously Reviewed by the Village Board

Overview: On October 5, 2010, after an extensive review of the issue which included a public hearing and consultation from local and regional experts in bee-keeping, the Board of Health voted to recommend that Chapter 16-1-4 of the Oak Park Village Code be amended to remove 'bee-hive maintenance' from the schedule of nuisances. On June 14, 2011, the Village Board voted to approve the recommendation and directed staff to draft an ordinance regulating bee hive maintenance. Staff recommends adoption of the proposed ordinance.

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

1. An Ordinance for the Levy and Assessment of \$30,595,533 in Property Taxes for the Fiscal Year beginning January 1, 2011 and ending December 31, 2011 of the Village of Oak Park County of Cook, State of Illinois.

Overview: Ordinance authorizing the levy and collection of property taxes for the Village of Oak Park and the Oak Park Library by the Cook County Collector.

2. An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2011 and ending December 31, 2011 in and for Village of Oak Park Special Service Area Number One

Overview: Ordinance authorizes the levy and collection of property taxes for taxpayers in Special Service Area #1 by the Cook County Collector. The area is generally comprised of the retail area bordered by North Boulevard, Forest, Ontario and Harlem Avenues. Taxes collected are remitted to Downtown Oak Park for operations and marketing support.

3. 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

Overview: This Ordinance adoption provides the authority for the Village to expend funds in the 2012 fiscal year. Village ordinance and state law requires that the budget be adopted prior to the beginning of each fiscal year.

4. Ordinances Providing for Various Rate Increases as Discussed During the 2012 Budget Sessions

Overview: The following revenue enhancements are reflected in the 2012 proposed budget. Fee or rate increases require a formal change in the Village Code and are presented below.

a. Ordinance amending sections 26-2-2(A), 26-2-2(B) and 26-2-6(B) of the Village Code relating to the meter charges for water and sewer services

b. Ordinance amending section 20-7-2 (E) of the Village Code relating to rates for collection of garbage, refuse and recycling charges.

- 5. Ordinances Providing for the Annual Abatements An Ordinance Providing for Partial Abatement of \$299,893 of the 2010 Tax Levy for the Series 2004B General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds. Funds totaling \$299,893 will instead be transferred from the Water fund.
- 6. An Ordinance Providing for Partial Abatement of \$94,221 of the 2011 Tax Levy for the Series 2005A General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds. Funds totaling \$94,221 will instead be transferred from the Water and Sewer funds.
- 7. An Ordinance Providing for Partial Abatement of \$192,015 of the 2011 Tax Levy for the Series 2006A General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds. Funds totaling \$192,015 will instead be transferred from the Water fund.
- 8. An Ordinance Providing for Partial Abatement of \$467,828 of the 2011 Tax Levy for the Series 2007A General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds. Funds totaling \$467,828 will instead be received through the Oak Park Library tax levy.
- 9. An Ordinance Providing for Abatement of \$1,890,300 of the 2011 Tax Levy for the Series 2010 A General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds. Funds totaling \$1,890,300 will instead be received through the Oak Park Library tax levy.
- 10. An Ordinance Providing for Abatement of \$1,586,693 of the 2011 Tax Levy for the Series 2010 B General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds. Funds totaling \$1,586,693 will instead be received through the Downtown Oak Park Tax Increment Finance District.
- 11. An Ordinance Providing for Partial Abatement of \$1,276,049 of the 2011 Tax Levy for the Series 2010 C General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds. Funds totaling \$1,276,049 will instead be received through the Parking and Water Funds.

- 12. An Ordinance Providing for Abatement of \$685,810 the 2011 Tax Levy for the Series 2011A General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds.
- 13. An Ordinance Providing for Abatement of \$200.060 the 2011 Tax Levy for the Series 2011B General Obligation Bond**
Overview: Ordinance abates or cancels a portion of the property tax levy that would otherwise be extended by the County Clerk for payment of debt service on these bonds.

D. Reinventing Government Committee Report to the Board

The Village Board will review the Reinventing Government Committee's discussion and direction to the Village Manager related to the Law Department.

XIII. Consent Agenda

- E. Recommendation from the Plan Commission to Approve Zoning Ordinance Text Amendments Relative to Roosevelt Road Form-Based Zoning Overlay and General Landscape Regulations Relative to Screening Outdoor Storage Areas, and Direct Staff to Prepare the Necessary Documents**
Overview: At their September 6, 2011 Village Board meeting, the Trustees remanded back this text amendment for further consideration by the Plan Commission relative to additional requirements for screening storage yards from public view. The Plan Commission met on September 15, 2011 to again review the text amendment. The Plan Commission supports this amendment.
- F. Recommendation from the Plan Commission to Deny Zoning Ordinance Text Amendments Relative to Beauty Supply Stores within the Madison Street Overlay District**
Overview: The applicant (Joe Soek) requested a Zoning Ordinance text amendment to restrict beauty supply stores within 500 feet of one another within the Madison Street Overlay District. The Plan Commission held the public hearing on October 20, 2011 and reviewed the findings of fact on November 3, 2011. The Plan Commission does not support this request. The vote was split 5-4, the majority being against the application.
- G. Resolution Authorizing a Public Art Grant to the Oak Park River Forest Civic Theatre at 1010 Madison for the Installation of New Roofing in an Amount Not to Exceed \$15,000**
Overview: Staff is recommending a grant award not to exceed \$15,000 for the installation of new roofing. This grant supports the Villages stated desire to support the performing arts community through strategic investment in theatre infrastructure.
- H. Resolution Authorizing Execution of a Contract with Visu-Sewer of Illinois for Project 11-13, Sewer Cleaning and Televising**
Overview: Bids were opened for this years sewer televising contract. The low bid was submitted by Visu Sewer of Illinois. Approximately 6 miles of sewers will be cleaned and televised under this contract. It is recommended to award a contract to Visu Sewer of Illinois.

- I. **Resolution Authorizing a Professional Services Agreement with Wiss, Janney, Elstner Associates, Inc., for Ongoing Consulting Engineering Services at the Holley Court Parking Garage in an Amount Not to Exceed \$12,300 and Waiving the Bid Process**
Overview: This is a professional services agreement for an owners representative during the repairs by WhiteCo at the Village-owned Holley Court Garage.

- J. **Resolution Authorizing a Subordination of Lien: BPIP-010**
Overview: The loan recipient is requesting a subordination of their Barrie Park Investment Program loan mortgage to a new first mortgage. The Village remains secure in junior position on the title.

- K. **Motion to Accept Historic Preservation Commission Resolution and Findings of Fact and Approve an Ordinance Authorizing Amendment of Section 7-9-8F of the Village Code Designating 639 N. Oak Park Avenue as a Historic Landmark**
Overview: This is a review of a historic landmark nomination for 639 N. Oak Park.

- L. **Resolution Authorizing Execution of Agreements with Blue Cross/Blue Shield of Illinois for 2012 PPO and HMO Health Insurance Including Aggregate and Individual Stop Loss Coverage**
Overview: This is an annual contract. This is for the 2012 renewals for Blue Cross/Blue Shield insurance premiums and aggregate and individual stop loss coverage.

Adjourn

For more information regarding Village Board meetings and agendas, please contact the Village Manager's Office at 708.358.5770. If you require assistance to participate in any Village program or activity, contact the ADA Coordinator at 708.358,5430 or e-mail adacoordinator@oak-park.us at least 48 hours before the scheduled activity.

Agendas and agenda materials are now available electronically on the village web site. Visit www.oak-park.us, mouse-over News, then click on Board Agendas and Minutes.

**DRAFT MINUTES - SPECIAL BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, OCTOBER 24, 2011 AT 6:30 P.M.
IN ROOM 130 OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pope called the meeting to order at 6:32 p.m.

II. ROLL CALL

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

**III. CONSIDERATION OF MOTION TO ADJOURN TO
EXECUTIVE SESSION TO DISCUSS LABOR**

In compliance with the Open Meetings Act, it was moved and seconded to adjourn to Executive Session for discussion of labor. A voice vote was taken and the motion was approved. The meeting adjourned to Executive Session at 6:33 P.M. Monday, October 24, 2011.

IV. RETURN TO OPEN SESSION IN ROOM 101

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

The Special Meeting reconvened at 7:24 p.m. in Room 101.

III. AGENDA APPROVAL

It was moved and seconded to approve the agenda for the meeting. A voice vote was taken and the agenda was approved.

VI. PUBLIC COMMENT

There was no public comment.

VII. PUBLIC HEARING

Village Manager Tom Barwin announced that this was the second budget session of the year. Tonight's meeting will focus on the Public Works Department and the funds that

operate under them; water, sewer and solid waste, and time permitting, Capital Improvement Funds.

Mr. Barwin added that the Village is required to hold a formalized Public Hearing on the budget as well as holding a Truth in Taxation Hearing, whether required or not. He referred to Chief Financial Officer Craig Lesner to provide an overview of the budget.

A. Truth in Taxation Public Hearing for the Recommended 2011 Tax Year Levy

Mr. Lesner explained that according to State statute, a Truth in Taxation Public Hearing is required prior to the approval of any recommended property tax levy in excess of 105% of the current year's extended levy, or a 5% increase. While the proposed general operating levy is flat, the debt component will increase \$799,021, pension component will decrease by \$841,117 and the Library's portion will increase by \$286,441 for a combined increase of \$244,344 or 0.8%.

Trustee Hedges asked what the options are regarding the Library's requested increase. Mr. Lesner noted that this increase is for operating expenses. Trustee Lueck noted that the Village Board has worked very hard for the past several years in order to not raise the levy, making significant cuts in Village expenses to do this. She added that it would be helpful for the Village Board to receive an explanation of the Library's increase. The Village has not provided non-union staff increases for several years. Mr. Lesner will contact the Library Board for more information.

B. Draft 2012 Budget Public Hearing

There were no comments.

VIII. BUDGET DISCUSSION CONTINUED

C. Public Works Department

Public Works Director John Wielebnicki stated that his department oversees several funds: the General Fund, Environmental Services Fund, Water and Sewer Fund and the Capital Fund.

Mr. Wielebnicki spoke about positions in his department. This year's budget reflects one and a half fewer full-time positions due to removal of one position in Fleet and a meter reader position changed to part-time. Five current vacancies are expected to be filled. He also discussed materials and supplies, noting that he was under budget this year for Roadway Maintenance primarily because of salt conservation. Mr. Wielebnicki noted that the Fuel line item is over budget due to the higher cost of gas and that the proposed increase for 2012 anticipates that this will continue. He noted that the same situation applies to Vehicle Equipment Parts, as he is working with an aging fleet.

Regarding Contractual Services, an increase of \$100,000 is proposed for the Forestry Department, including tree-trimming, tree removal and stumping. He presented a graph of trees infected with Emerald Ash Borer, noting they are all on

public areas. Eventually all ash trees will be removed, both public and private. There was a discussion regarding the Emerald Ash Borer and the number of trees that would be removed. Village Forester Jim Semelka stated the Emerald Ash Borer population is overwhelming. He also discussed a new strategy of species variety in planting to help avoid future losses of this magnitude. Discussion followed regarding types of trees, planting specifications, maintenance, and the number of trees being planted.

Trustee Johnson asked about the Commercial Planter Program, noting that some of the perennials in the median planters have died but were not replaced. Mr. Semelka stated that a few years ago the Village planted more perennials, many of which were grasses that were moved to other areas for permanent placement. The 2012 budget includes \$118,000 for this program and will include design costs, plant rotation and planting of more annuals. He added that some of the business districts have been maintaining planters in their own areas. Mr. Wielebnicki added that seasonal help is budgeted to maintain these as well.

Trustee Lueck commented that she would like to see more information on conceptual decisions regarding where money was and was not being spent.

Mr. Wielebnicki stated that he and the Finance Committee had discussed the potential of developing a much-needed private property brush pickup program to address the amount of brush from private property being left by the street for Village pickup, especially following storms. Currently, the Village picks up bundled private brush with a sticker from the back alley, but many residents instead mix this material with parkway debris. This would reduce the amount of time staff currently spent picking up this additional material following storms and allow them to return to regular duties more quickly after storm cleanup.

He suggested incorporating this fee into the Environmental Services budget (the solid waste program). Pickups of brush from private property would be made from the parkway five times during the year at a cost of \$40,000 per pickup, or a total of \$200,000. If this can be utilized as a pass through fee, residents will pay an additional \$1.35 per month on their trash bill. He asked the Board to consider this proposal. Mr. Semelka noted that there will be a size limit on what the Village will pick up. Another option being discussed is issuing permits for private property tree removal. Part of this program would be to requiring the contractor that removed the tree to haul it away.

Trustee Johnson asked for additional analysis regarding the increase in general contractual and external support, noting that there is not a corresponding decrease in personnel services and fringe benefits.

D. Enterprise Funds (Water, Sewer, Solid Waste)

Mr. Wielebnicki stated that the expenditures of the Water Fund include completion of water meter change outs, water main replacements and vehicle replacement. The majority of expenses are for personnel and the water charge from the City of Chicago.

Mr. Lesner stated that Chicago raised their rate 25% for 2012, with an additional 15% annually for each of the next three years. He added that this increase will be brought before the Board at the end of the budget process to pass on to the residents. The final figure has not yet been confirmed. Trustee Johnson asked about education on conserving water. Mr. Wielebnicki stated that the Chicago Metropolitan Agency for Planning (CMAP) has received grant funding and is working with the Village to help develop a water conservation plan.

Trustee Johnson raised the subject of Moody's bond rating assessment, noting that there is a \$2.3 million deficit in the Water Enterprise Fund and a projected \$4 million owed to the General Fund. It is also noted that the Village plans to increase rates by at least the rate of inflation and slow capital programs. He asked how this can be done, as well as what Capital Programs will be slowed and how to start paying back the General Fund from the Enterprise Fund.

Mr. Lesner explained that capital spending will be reduced slightly over what was being spent during the last couple of years to maintain the standard Capital Program. He added that the concerns regarding the Water Fund is a cash flow issue, since the majority of residential users are billed on a quarterly basis. Mr. Lesner also said there have been discussions regarding how to build up cash reserves over time. This would require keeping expenses in check and focusing on 1% to 3% rate increases each year.

Trustee Hedges asked how much of the \$4 million owed is due to cash flow and asked what the average balance is during the year. Mr. Lesner replied that he would get him that information and noted that the operating philosophy is to build up cash reserves, not just in the Water Fund, but in all funds, to minimize inter-fund borrowing.

Mr. Wielebnicki spoke about the Sewer Fund, noting that two items discussed last week, sewer modeling and updating the 1994 sewer evaluation for \$150,000, and an overhead sewer reimbursement program for \$200,000, are included. President Pope commented that this would total \$350,000; he was under the impression that the amount allocated in these areas would be \$250,000. Mr. Wielebnicki noted that the budget was prepared before the conversation on flooding took place, but that amount could be adjusted.

Mr. Wielebnicki stated that he and other staff, as well as staff from Berwyn and Cicero, met with an engineer regarding moving forward with a Multi-Hazard Mitigation Plan to help secure future funding through FEMA for flood mitigation improvements. The cost to create the plan would be \$50,000 per community. Mr. Barwin clarified that this was an estimate from one engineering company. The Village has the option of asking the other two communities to solicit proposals, Oak Park can do this alone, or the Village can obtain an update on the status of Cook County's plan. He added that once more details were in place, this information will be presented to the Board. Mr. Barwin also noted that the sewer modeling and evaluation may cost more than the estimated \$150,000; if they move forward with this they will solicit proposals.

Trustee Salzman wanted the rationale for spending \$150,000 for an updated study and asked if this was critical in order to get Federal funding

Village Engineer Jim Budrick explained that this would allow for a three dimensional view of the system; currently two-dimensional maps of the sewer system are used. This would provide the tools necessary to not only analyze what is there presently but also to help plan for future improvements. He referred to a similar project completed for the water system and said that it is used frequently when putting in new water mains and similar work.

President Pope stated that the current budgeted amount may be used as a place holder but the language describing the overhead sewer reimbursement program will be replaced with "flood prevention program". A more detailed conversation regarding what will be done with those funds will be held at another time.

Trustee Johnson commented on the item regarding replacement of a dump truck, noting the Village bought one just last year. Mr. Wielebnicki noted that these vehicles are used heavily, adding that the Fleet Replacement Program is set up to replace one vehicle every year to avoid everything breaking down at once. All of the Village's dump trucks are used for snowplowing as well as for sewer work. Trustee Hedges commented that keeping a vehicle too long does not save money in the end when lost manpower and down time is considered.

There was a brief discussion about the Solid Waste Fund, which includes the Waste Management contract, leaf program and new brush pickup program.

E. Capital Improvement Funds (Fleet, Buildings, Street/Alleys)

Mr. Wielebnicki referred to the document entitled 2012-2016 Capital Improvement Plan Summary and noted that it includes the Fleet Replacement Program, Building Replacement Program and Water and Sewer Capital Program. He stated that the fleet size has been reduced by 15% since 2006, from 241 to 214, and noted where reductions were made.

Trustee Lueck raised the subject of the administrative fleet and asked if it would be more economical to pay mileage. Mr. Wielebnicki replied no; it costs approximately \$250 per month to maintain those cars; mileage is currently \$.55 per mile which adds up quickly. Trustee Johnson spoke about using I GO cars instead of purchasing cars. Mr. Barwin added that a pilot I GO program is scheduled to be implemented shortly with two pool vehicles for use between 8:00 a.m. until 5:30 p.m. These will also be available for use by residents who are I GO members in the evenings and on weekends.

Mr. Wielebnicki noted an ambulance and some of the Parking Enforcement Officer vehicles needed replacement, as well as another dump truck that has been used strictly for plowing and salting. This would be replaced with a multi-use dump truck. President Pope asked Mr. Wielebnicki to what extent alternate ways to provide for the plowing needs of the community were looked at and what those options would be as well as the implications. Mr. Wielebnicki spoke about an anti-ice liquid that was used on streets last winter. President Pope asked what the feasibility was for

outsourcing plowing. Mr. Wielebnicki noted he had included provisions for contract support for the heavier snowstorms.

Mr. Wielebnicki spoke about building improvements, one of the larger being replacement of the chiller. He stated that this has been in place since construction of the building and noted that it has become difficult to get maintenance contracts because of its age. Also included are improvements to the Council Chambers HVAC system, \$350,000 for a gun range for the Police Department, as well as some repairs to the Public Works Building.

Mr. Budrick discussed some of the street improvements budgeted for 2012, including resurfacing on Harlem.

Following a discussion regarding street sign replacement, President Pope stated that it was the general consensus to not move forward with a community-wide replacement program but to look at important intersections or places where there is a legitimate public safety concern, or where there has been diminished reflectivity and to proceed on a case by case basis. He also suggested they put together a systemic plan to be equipped to meet the newest Federal regulations in the event that a mandate from the Federal government remains in place in the future.

Mr. Wielebnicki stated that \$800,000 was proposed for alley improvements; there were 130 alleys currently rated as poor. This would include nine to ten alleys.

Trustee Salzman noted a decrease in bike plan funding. Mr. Wielebnicki stated that grant funds are applied for and as they come in, the bike plan is implemented. He also noted that he plans to take this to the Transportation Commission for their feedback regarding the next steps.

Public Arts Funding and possible projects for 2013 and beyond were briefly discussed.

IX. ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 10:54 P.M. on Monday October 24, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk

**DRAFT MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, NOVEMBER 7TH, 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 7:00 p.m.

II. ROLL CALL

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

III. ADJOURN TO EXECUTIVE SESSION TO DISCUSS LABOR

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

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Johnson

The motion was approved.

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

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

The Regular Meeting reconvened at 7:35 p.m. in Council Chambers.

V. AGENDA APPROVAL

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 October 17, 2011 and the Special Meeting of October 19, 2011 be approved. A voice vote was taken and the minutes were approved as presented.

It was moved and seconded that the minutes of the Special Meeting of October 20, 2011 be approved. A voice vote was taken and the minutes were approved as presented. Trustee Brewer abstained.

VII. NON-AGENDA PUBLIC COMMENT

Julie Chyna, 1174 S. Ridgeland. Ms. Chyna expressed concern regarding the recent licensing of a store that sells firearms and urged the Board to reconsider the zoning laws in this area.

VIII. PROCLAMATION – NATIONAL DRUNK AND DRUGGED DRIVING PREVENTION MONTH DECEMBER 2011

President Pope read the Proclamation aloud. It was moved and seconded that the Proclamation entitled NATIONAL DRUNK AND DRUGGED DRIVING PREVENTION MONTH DECEMBER 2011 be adopted. A voice vote was taken and the Proclamation was adopted.

IX. VILLAGE MANAGER REPORTS

Village Manager Tom Barwin announced that residents and small businesses in the Village will be receiving letters shortly regarding the new energy pricing and the contract that was awarded. He noted that those wishing to take advantage of the 25% reduction in energy supply costs for the next two years beginning in January 2012 don't have to do anything. A confirmation letter from Com Ed will follow. Mr. Barwin also stated that Chicago has advised the Village that water rates will be raised 25% effective January 1, 2012, followed by 15% increases in the next three years. He added that he has contacted the city to ask them to reconsider that rate increase and perhaps spread it over a longer period of time. Paving of the final section of Roosevelt Road will begin this week and should be completed by Thanksgiving. The finishing touches on Marion Street are underway; the street is expected to be open November 22. Some of the new bus shelters have been placed in the main traffic corridors. Most of the other construction is completed or in the final phases of being completed. The initial presentation to the Board of the Madison Streetscape and Infrastructure Improvement Project is scheduled for later this month. The Board of Health and other interested parties are investigating acceptable safety standards and zoning practices for gun stores. The Board of Health will hold public sessions to solicit public input to help identify and rationalize whatever recommendation will be made to the Board in the first quarter of 2012.

X. CITIZEN COMMISSION VACANCIES

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

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

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

Community Relations Commission

Appointment of Frank Vozak, as Member, with a term to expire November 7, 2014

Environment & Energy Commission

Reappointment of Betsy Williams, as Member, with a term to expire October 6, 2014

Farmers Market Commission

Appointment of Barbara Colpoys, as Member, with a term to expire November 7, 2014

Liquor Control Review Board

Reappointment of John Lipic, as Member, with a term to expire October 20, 2014

Transportation Commission

Appointment of Jack Chalabian, as Chair, with a term to expire November 7, 2014

XII. SECOND READING AND CONSIDERATION FOR ADOPTION

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

A. Second Reading of an Ordinance Amending Chapter 3 of the Village Code Entitled "Alcoholic Liquor Dealers"

Village Clerk Teresa Powell stated that there were questions raised by the Board during the First Reading regarding liquor and the Bed and Breakfast ordinance. It was determined by the Law Department that no action was necessary. In addition, the definition of artisanal spirits in the D-12 License section has been clarified. Village Attorney Simone Boutet added that the reference to late night food service has been amended as well as clarification of BASSET training.

It was moved and seconded that Ordinance 2011-O-66 entitled **ORDINANCE AMENDING CHAPTER 3 OF THE VILLAGE CODE ENTITLED "ALCOHOLIC LIQUOR DEALERS"** be adopted.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Johnson

The ordinance was adopted.

B. Second Reading of an Ordinance Amending Quarterly Parking Permit Fees for Lots/Garages and On-Street and Amending Hourly Garage Parking Rates as Set Forth in Chapter 15 of the Village Code

Mr. Barwin indicated that these rate adjustments have been proposed as a package to be aligned with the year 2012 budget. The Village has been working on reducing the Parking Fund deficit within a five-year period; 2012 is year three of that effort.

Parking Services Manager Cara Pavlicek stated that this includes increasing the hourly rate in parking garages from \$1 to \$2 after the first free hour up to two and one half hours, increasing on-street quarterly overnight parking permits to \$105, increasing

daytime, overnight and 24-hour quarterly parking permits for parking lots and garages to \$125-\$300 per quarter and increasing the monthly permit rate at the Holley Court and Avenue garages to \$105 per month.

Trustee Hedges asked Ms. Pavlicek what other changes she anticipates in the coming years. She replied that it is difficult to project what those increases will be year to year. Prior to the budget process, a market rate survey is completed, as well as review of operating costs from the previous year and impact on demand of prior year rate adjustments.

Parking meter options were discussed. Ms. Pavlicek noted that eventually she would like to replace these with meters that take credit cards, pay-by-phone meters or move completely to the multi-space meters, and explained the cost to implement this change.

Trustee Salzman asked for the history of the Parking Fund deficit and its relation to the Village's bond rating. Mr. Barwin summarized the history and added that the bond rating held stable for the last issuance due to the progress on reducing the Parking Fund deficit. Trustee Salzman stated that as important as it is to reduce the deficit, the Village should consider the experiences of those who are visiting Oak Park and have the option of going elsewhere, where parking costs significantly less.

Trustee Tucker expressed concern regarding the rate change in the parking garages. Trustee Brewer asked what the revenue implications would be if the first 90 minutes were free, noting that this might motivate people to use the garages for longer-term trips. Ms. Pavlicek stated that some reports could be run on duration of stay to get that information.

President Pope stated that at one time the price structure did include the first 90 minutes as free, resulting in too many people cycling through the garage right at the 90 minute window. This shifted the burden of paying for parking to the taxpayers instead of those parking in the garages. Trustee Tucker commented that the cost of parking in a garage for two hours is now the same as parking at a meter for two hours. President Pope stated that another alternative was discussed, which was charging \$1 for the first two hours immediately upon entry to the garage. This is a reasonable proposition if someone is downtown for 55 minutes; there would be no difference between meter and garage parking. He added that the downtown business owners were very much opposed to the idea of charging for the first hour and believe that the first free hour is an incentive to encourage people to visit.

It was moved and seconded that Ordinance 2011-O-67 entitled **ORDINANCE AMENDING QUARTERLY PARKING PERMIT FEES FOR LOTS/GARAGES AND ON-STREET AND AMENDING HOURLY GARAGE PARKING RATES AS SET FORTH IN CHAPTER 15 OF THE VILLAGE CODE** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges and Lueck; President Pope

NAYS: Trustees Salzman and Tucker

ABSENT: Trustee Johnson

The ordinance was adopted.

XIII. REGULAR AGENDA

- C. It was moved and seconded and Resolution 2011-R-169 entitle RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH SOLAR SERVICE, INC. FOR THE CONSTRUCTION OF SOLAR PANELS ON THE AVENUE PARKING GARAGE IN AN AMOUNT NOT TO EXCEED \$765,680 be adopted.

Mr. Barwin stated that, in keeping with the goal of environmental sustainability, the Avenue Garage was selected for installation of solar panels through a grant. This will reduce electricity costs in the garage, which are quite significant.

Sustainability Manager K.C. Poulos stated that the Village has received a 75% grant from the Illinois Department of Commerce and Economic Opportunity (DCEO) for this project. The structure will be a 95 kilowatt system producing approximately 102,000 kilowatt hours per year. This system is expected to offset electricity costs at the Avenue Garage; excess solar energy produced will be credited on the garage's electric bills. Revenue from the sale of solar renewable energy credits (SREC) is also possible.

Public Works Director John Wielebnicki explained the RFP process. Of ten proposals, four candidates were interviewed by staff and evaluated by an independent firm experienced with this type of project. Both staff and the outside firm, Teng and Associates, recommended Solar Service, Inc. as providing the most favorable proposal.

Joe Gordon, Sales Director for Solar Services, spoke about the components of solar design. He stated that the design life of the steel structure supporting the panels is at least 75 years. The life span of the panels is 25-35 years, and replacements are expected to be a fraction of the current cost by that time. Mr. Gordon presented specifications for the project and described the monitoring process. He stated that any excess electricity beyond garage needs will go into the grid. The Village's return on their investment will be approximately \$250,000 over 25 years.

Mark Klancic, 1046 S. Wisconsin. Mr. Klancic encouraged the Board to take advantage of the opportunity provided by this grant from DCEO.

Mark Dewalt, 321 S. East Ave. Mr. Dewalt had a solar thermal system installed by Solar Service, Inc. and spoke highly of them.

William Barrows, 525 N. East Ave. Mr. Barrows also had a solar power system installed in his home by Solar Service, Inc. and recommended them to the Board.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Johnson

The resolution was adopted.

- D. It was moved and seconded that Resolution 2011-R-170 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSING AGREEMENT WITH I-GO CAR SHARING,

FOR THE INSTALLATION OF A SOLAR CANOPY AND ELECTRIC VEHICLE CHARGING STATIONS FOR TWO LOCATIONS IN THE VILLAGE: NORTH BOULEVARD AND THE VILLAGE HALL PARKING LOT and Resolution 2011-R-171 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSING AGREEMENT WITH 350 GREEN FOR THE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS FOR TWO LOCATIONS IN THE VILLAGE: NORTH BOULEVARD AND THE VILLAGE HALL PARKING LOT be adopted.

Mr. Barwin announced that there will be no cost to the Village to execute these items.

Ms. Poulos stated that the City of Chicago and I-GO Car Sharing received a Federal grant to create these infrastructures for electric vehicles. Oak Park will also be receiving solar canopies to be placed over these charging stations. Locations will be North Boulevard between Marion and Home and the Village Hall parking lot. The North Boulevard station includes a battery pack for storage of solar energy. Each structure will consist of four parking spaces; two dedicated to I-GO electric vehicles and two public charging stations. Ms. Poulos reiterated that there will be no Village expenditures, as these will be metered to I-GO and 350Green.

Hali Sittig of 350Green explained the payment procedure for those wishing to use the public charging stations. She also gave specifications for the structures and described the technology.

Trustee Brewer asked about the battery size and its capacity for electricity storage. I-GO CEO Sharon Fagan stated that the battery is a project demonstration overseen by Com Ed. She added that the concept is for the battery to fill up and then discharge back into the grid.

Mr. Barwin added that the Village is working with I-GO to begin to integrate the two electric vehicles into the municipal fleet. After business hours, those cars will be available for use by I-GO members in the neighborhood.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Johnson

The resolutions were adopted.

- E. It was moved and seconded that a Motion to Accept the Report of the Citizen Involvement Commission Regarding the Commission Chair Appointment Process and Direct Staff to Prepare the Necessary Documents be approved.

Citizen Involvement Commission (CIC) Chair Jim Kelly stated that the intent of this report is to promote transparency, timeliness and teamwork. One of the proposed changes would be to set a standard for anticipating a six month transition for Chairs and working during that period to try to identify a successor Chair. This would give the new Chair an opportunity to work with the current Chair before the term expires. He spoke about the roles of the CIC members as liaisons to the other commissions, adding that they may be able to promote Chair vacancies just the way they do other vacancies. This will help bring the process into view; currently this occurs

mainly behind the scenes. Mr. Kelly recommended that the roles of the Trustee Liaisons be clarified so that Trustees could know expectations for this role. A training program for Chairs was also recommended.

Trustee Lueck pointed out the difference between the role of a member and that of a Chair. This shift in role can be difficult if nobody is there to facilitate this. She added that these changes are very timely, relevant and significant and should be adopted.

Trustee Salzman agreed that the Trustee level of involvement was inconsistent. President Pope added that there should also be a clear range of involvement, noting that defining this would be valuable for all concerned.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Johnson

The motion was approved.

XIV. CONSENT AGENDA

- F. Ordinance 2011-0-68 entitled **ORDINANCE AMENDING CHAPTER 15, ARTICLE 1, SECTION 10 OF THE VILLAGE CODE TO ADOPT PARK SPEED ZONES**
- G. Resolution 2011-R-172 entitled **RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PROFESSIONAL LAND SERVICES, LLC FOR 2012 CAPITAL IMPROVEMENT PROJECT SURVEYING SERVICES**
- H. Resolution 2011-R-173 entitled **RESOLUTION APPROVING 2012 ACTION PLAN AND AUTHORIZING SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**
- I. Resolution 2011-R-174 entitled **RESOLUTION AUTHORIZING A SINGLE FAMILY HOUSING REHABILITATION LOAN AND LEAD HAZARD REDUCTION GRANT: SFR-041**
- J. Resolution 2011-R-175 entitled **RESOLUTION AUTHORIZING A SMALL RENTAL PROPERTIES REHABILITATION LOAN AND ENERGY EFFICIENCY LOAN: SRP-014**
- K. Resolution 2011-R-176 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MIDWAY BUILDING SERVICES FOR BUILDING MAINTENANCE SERVICES FOR THE VILLAGE FOR A THREE YEAR PERIOD**
- L. Resolution 2011-R-177 entitled **RESOLUTION REQUESTING VILLAGE OF OAK PARK GEOGRAPHIC INFORMATION SYSTEM DATA FROM THE COOK COUNTY ASSESSOR'S OFFICE**
- M. Resolution 2011-R-178 entitled **RESOLUTION AUTHORIZING EXECUTION OF A BID PROPOSAL CONTRACT WITH G.A. PAVING CONSTRUCTION CO., INC. OF BELLWOOD, ILLINOIS FOR SNOW REMOVAL SERVICES IN THE WINTER OF 2011-2012 IN AN AMOUNT NOT TO EXCEED \$50,000**

- N. Resolution 2011-R-179 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL WATER METER PURCHASE AGREEMENT IN THE AMOUNT OF \$10,000 WITH NORTHERN WATER WORKS SUPPLY/FERGUSON WATER WORKS AND WAIVING THE VILLAGE'S BID PROCESS
- O. Resolution 2011-R-180 entitled RESOLUTION AUTHORIZING EXECUTION OF A BID PROPOSAL CONTRACT WITH A & B LANDSCAPING & TREE SERVICE OF RIVERSIDE, ILLINOIS FOR SIDEWALK SNOW REMOVAL SERVICES IN THE WINTER OF 2011-2012 IN AN AMOUNT NOT TO EXCEED \$15,000
- P. Ordinance 2011-O-69 ENTITLED ORDINANCE AUTHORIZING THE DISPOSITION OF SURPLUS VEHICLES ON AN "AS IS" BASIS
- Q. Ordinance 2011-O-70 entitled ORDINANCE AMENDING CHAPTER 3, ARTICLE 8 OF THE CODE OF THE VILLAGE OF OAK PARK – CREATION OF A CLASS C-1 LIQUOR LICENSE FOR BOND DRUG COMPANY OF IL, LLC DBA WALGREENS, 811 MADISON STREET, OAK PARK, IL 60302 AND 6412 ROOSEVELT ROAD, OAK PARK, IL 60304
- R. Resolution 2011-R-181 entitled RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CRUNCH, INC. TO DEMOLISH THE RESIDENTIAL STRUCTURES LOCATED AT 1181 SOUTH OAK PARK AVENUE IN AN AMOUNT NOT TO EXCEED \$19,461.00

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, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: Trustee Johnson

The Consent Agenda was approved.

XV. APPROVAL OF BILLS

It was moved and seconded to approve the bills for the week beginning October 17th through November 4th in the amount of \$2,344,056.79.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Johnson

The motion was approved.

CALL TO THE BOARD AND CLERK

Village Clerk Powell spoke about her attendance at the Art League sponsored awards for the IMPACT group addressing issues of teen drug, tobacco and alcohol use, and also about attending a performance of "Erasing the Distance", which deals with the subject of mental illness.

Trustee Lueck spoke about "Erasing the Distance" as well and about Open Door's first performance at their new facility, "Smokey Joe's". She reminded residents that they may acquire meter keys at Village Hall in lieu of using quarters in parking meters.

Trustee Salzman congratulated the Farmers Market on the completion of another successful season.

Trustee Brewer reiterated Trustee Salzman's comment and also said that Halloween was another great success in his neighborhood this year.

Trustee Hedges stated that using the parking meters gives him the opportunity to dispose of his loose change.

Trustee Tucker gave the web address of the Oak Park-River Forest Food Pantry, OPRFfoodpantry.org, and urged residents to donate.

Mr. Barwin announced that Thursday's meeting will be in Room 101 to go over the audit surveys and frame any budget issues before adoption and consideration.

President Pope stated that the West Cook County Housing Collaborative is open to the idea of speaking to the Board about the work done in collaboration with the Village's West Cook County partners; Berwyn, Forest Park, Bellwood and Maywood. He also spoke about his attendance at a budget hearing for CTA.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 10:10 P.M. Monday, November 7 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk

**DRAFT MINUTES - SPECIAL BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, NOVEMBER 14, 2011 AT 6:30 P.M.
AT THE OAK PARK CONSERVATORY, 615 GARFIELD**

I. CALL TO ORDER

President Pope called the meeting to order at 7:05 p.m.

II. ROLL CALL

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

III. PUBLIC COMMENT

There was no public comment.

IV. EISENHOWER DISCUSSION

President Pope announced that this meeting was a continuation of discussions of IDOT plans for the I-290 Corridor. Village Manager Tom Barwin explained that this meeting would allow for a more detailed discussion of these issues, and introduced Rick Kuner of Citizens for Appropriate Transportation.

Mr. Kuner noted that the total cost of studies on the corridor since 1993 has been in the range of \$14 million. He explained that he would present two studies, the I-290 Phase 1: Engineering and Environmental Study and a presentation on regional modeling, as it relates to alternative evaluation.

A. I-290 Environmental Impact Statement Study

Mr. Kuner noted that he will cover current and prospective issues related to the corridor. He reviewed the history of studies of the corridor since 1993, including several originating in Oak Park and a corridor study by the RTA. He noted that an HOV (high occupancy vehicle) lane was first proposed in 1993 and determined to be feasible with 3 or more occupants. The current study is in Phase 1, the Engineering and Environmental Study (October 2009 through 2012 or 2013), the first of three phases. He clarified that the RTA study conducted earlier was a different study. Much of the focus of this study so far is on development of the Purpose and Need Statement, which is a key element of the process. The comment period for this statement has been extended to the end of the month. IDOT has started the alternatives development and evaluation phase, but have yet to get to the preferred alternative phase.

Phase 2 is Construction Drawings and Property Acquisition; Phase 3 is Construction.

CONTINUED

Part B of this presentation covers impacts and major categories. The context-sensitive design process has been mandated by the Federal Highway Administration (FHWA) of the United States Department of Transportation (US DOT) since 2007, and assumes that every roadway has a context.

Of more than 20, seven major impacts affect this corridor. They include roadway below grade, level of service (A-F) to measure congestion and the East Avenue terraces compromise, which Mr. Kuner discussed.

Center ramps at Harlem and Austin are more difficult for trucks, but are a 1950's compromise made with Oak Park. Three modes of transportation include CSX tracks, CTA tracks and I-290.

CTA has extra space for express rails (not used to date) and stations are not ADA compliant, so that this space can accommodate this. CSX tracks formerly used for freight traffic; when Canadian National bought EJE, these trains were routed to other lines; CSX tracks, one of which is now rusted over. IDOT wants to buy this right of way.

The ramps and tapers at exits are too short for current traffic. They were designed for 100,000 vehicles per day but now carry 200,000 per day; IDOT also wants longer ramps.

If the roadway shifts, all bridges would need to be rebuilt, as vertical supports would be in the wrong places. This raises the issue of whether the Village would keep all of these bridges.

Transportation issues include corridor design, transit and traffic. Can IDOT stay within the "ditch"? No response has come from IDOT in many years. Garfield and Harrison are substandard width in some areas. Bridges need wider sidewalks. Four parks border the expressway, Forest Park has others; Oak Park Parks have recently been upgraded. Noise barriers are an issue.

HOV/HOT (high occupancy toll) lanes will increase capacity to eight lanes, but 12 - 14 lanes are needed for the amount of traffic. With more lanes, "if you build it they will come, creating induced demand. At the east end of the corridor, the interchange is the third most congested in the nation; pumping additional traffic to this area won't work.

Trucks and busses represent 1.5 cars, based on the traffic capacity manual. Introducing these into the mix slows traffic.

Blue Line has 3 parts: O'Hare branch, Dearborn subway and Forest Park branch. Ideally O'Hare and Forest Park branch transit use should be equal; several reasons explain lower traffic on the Forest Park branch: O'Hare provides economic engine for jobs, Green Line and Pink Line also serve the west side, employment rate on NW side is higher than west side, four more stations are on the O'Hare branch. Ridership for 2009 shows Red Line has more than the Blue Line; other lines have fewer riders.

CONTINUED

Population density (people/square mile) is also a factor. PACE Development Guidelines are 4,000 people per square mile for high density areas, which all communities in the corridor except Hillside meets, and Hillside is close to it. For these high density communities, PACE policy is to provide a bus stop for each 1/8th mile.

Considering economic impacts, job density is highest in downtown Chicago by a factor of 10; second highest is around O'Hare. Transit is good at serving the home-work trip. Bus Rapid Transit (BRT) to replace the Blue Line is opposed by Senator Harmon and many local residents, who realize that this would negatively impact Oak Park. South Oak Park property values would decline, placing more tax burden on the rest of Oak Park. Commuting by auto (average of \$7,500 per year) is much more expensive than by transit.

Quality of life impacts local schools. All middle and high school students south of 290 must cross the expressway to get to school.

Environmental justice makes sure that Federal projects don't discriminate against minority and low-income communities.

Environmental impacts include noise barriers (large concrete walls adjacent to residences). At "breaks" where roads come through, noise impact remains. In Oak Park, , wood fence barriers on Harrison put up in the 1990s reduce noise to some degree, but not to IDOT or Federal standards.

Financial impacts include buses (12 year replacement cycle, 60 seats) versus trains (35 year replacement, 340 passengers). A roadway solution alone cannot solve the problems; multimodal has the potential to do so.

The Environmental Impact Statement (EIS) is one of three kinds of environmental analyses IDOT can conduct; it is the most comprehensive with the most protection. The least significant analysis is a finding of "no significant impact." The next level is an environmental assessment and the most detailed is the EIS.

Five legal protections are available with the EIS.

1. The Purpose and Need (P&N) document, to be approved by IDOT and FHWA, explains the need and purpose. By setting the ground rules, the final result can be determined.
2. All prudent and feasible alternatives must be considered. If it can be shown that such an alternative has not been considered, this can force revision of the EIS. Mr. Kuner summarized the options currently under consideration by IDOT. He noted that a new term, "high capacity transit" had been introduced at the last meeting to refer to both bus rapid transit (BRT) and heavy rail and that this is not a term previously used in the field. IDOT did admit to some possible capacity issues with BRT, however. Rob Cole, Assistant Village Manager, noted that the Village is asking that these two categories be split.

CONTINUED

Mr. Kuner noted that good solutions are multi-modal, and can account for CTA, commuter rail and PACE, pedestrian and bicycle travel. They take into account the relationship of transportation and land use and change over time. They should reduce negative impacts of transportation, including environmental and accident impacts. More transit means fewer accidents. Good solutions should be comprehensive, use good design and engineering, economic incentives and management. IDOT focuses on HOV and toll options to reduce congestion when they could instead be looking at incentives to increase ridership on the Blue Line, such as improved bus service, bike racks and better station amenities.

3. Courts require a rigorous analysis of impact, and there are a number of impacts that do affect this corridor. Choices are to avoid, minimize or mitigate impacts, in that order. This language has been inserted by IDOT at the request of the CAT, then dropped. Air quality is an issue. Mr. Kuner reviewed several relevant impacts for the corridor, and recommended better communication on construction impacts. All impacts must be covered, but equal detail is not needed for each.
4. Evaluation of alternatives has included a number of very similar alternatives and has provided some implausible results, such as reduced ridership with extension of the Blue Line. IDOT has excluded economic development and environmental and social criteria, claiming this is not required now, but will be considered later. NEPA requires a balanced approach with consideration of these criteria. IDOT does not want to deal with these issues at this time. President Pope noted that if these issues are not included, they will not be part of the yardstick for evaluation, and won't have same consideration.
5. Meaningful citizen participation is the final protection. IDOT failed to provide any information in advance for the October 2009 brainstorming session. They asked for goals and objectives without a definition, and provided materials over a holiday with less than a week to review it. No reports are available in advance for any alternatives presented and when issues are raised, they take a long time to respond. Mr. Kuner provided a list of all inquiries with a record of how many days to respond (49 to 128 days) although their policy is to respond in one week.

These are the four steps that occur at the end for resolution of an EIS: A draft EIS of 200 or more pages, a public comment period, final EIS statement responding to public comment, and record of decision (ROD). After this process (the findings of fact) there is a short time period to file a lawsuit.

Mr. Kuner discussed three levels of resolution are available: political, technical and legal and noted that all should be used. Mr. Kuner advised that if we don't operate on all three fronts, we will be in trouble. Mr. Barwin asked about a grace period. Mr. Kuner explained that a clock begins running when the ROD is issued and the grace period is the time when any suit must be filed. Issues are complex; impacts are substantial for the future of Oak Park.

CONTINUED

The EIS provides some legal protection. We need to work with other communities impacted by this project. He proposed that the Blue Line could be extended on an incremental basis, with the first additional stop at First Avenue.

Trustee Hedges asked about an ideal outcome or plan. Mr. Kuner suggested incremental extension of the Blue Line ideally to Oak Brook in the corridor. Metra is already upgrading the UP West Line and should complete that project. Improve amenities at stations, wider bridges and environmental mitigation; in other words, a multi-modal approach. With a highway-focused plan approaching \$1 billion, there would be a suboptimal result.

Trustee Hedges asked about right lane exits. Mr. Kuner discussed the impact of moving the CTA ramps to the right. Moving the CTA stations and tracks would trigger mandated improvements to comply with ADA and fire code requirements. President Pope noted that IDOT had taken care on the Dan Ryan to avoid this and the required improvements involved.

Trustee Hedges asked if eight lanes are possible in the ditch. Mr. Kuner said eight lanes within the ditch are possible if IDOT can acquire the CSX right-of-way, but land acquisition might be required at Austin and Harlem for right-hand ramps. President Pope noted that tradeoffs in requirements would reflect competing interests, such as inclusion of an express line from Oak Brook, but sufficient width would be required. Mr. Kuner noted that skip-stop service might also be an option to increase ridership through faster service, but the options being proposed by IDOT have minimal impact on time and congestion. Mr. Cole noted that all alternatives they propose include eight lanes for traffic.

Trustee Hedges asked what IDOT's ideal proposal would be. Mr. Cole speculated that this would probably include express bus service, HOT, carpools and trucks sharing the road.

Trustee Lueck noted that a striped HOV could easily be changed to general purpose use, if no barrier is included. Mr. Cole noted that without a barrier, throughput of the HOV lane is reduced, especially with congestion in the slow lanes.

President Pope noted that east of Austin, the HOV lane creates a restriction in use and reduces a lane of general purpose traffic. Mr. Cole noted that taking away an existing lane of traffic is not recognized as an adverse impact. Mr. Kuner provided some details about the estimated throughput in each of these situations, with delays creating an "empty lane syndrome" if the HOV lanes have too little traffic, and no real travel time saving if the HOV lanes have too much traffic. Trustee Lueck noted that the gain in time was less than two minutes, and the time to pick up extra passengers took more time than that. President Pope provided examples of these findings.

CONTINUED

Trustee Lueck noted that proposed lanes do not end at a logical transit point. Mr. Kuner and Mr. Cole discussed the impact of dumping additional traffic at the Circle Interchange or the Loop area without a logical way to proceed. Mr. Kuner noted that the termini seem to be motivated more by "old pavement" than any logical transportation consideration.

President Pope added that the real problem has more to do with limitations of effective modeling input, given the number of traffic movements at the logical termini of the model; but the real traffic generators are east and west of the area under consideration. Mr. Cole noted that given regional and national priority placed on making effective use of existing infrastructure, it would be a good idea to extend the Blue Line west in order to create a more logical west terminus that could then attract more riders to use the existing excess capacity. President Pope noted that extending the Blue Line to Oak Brook would address concerns about the current imbalance in Blue Line ridership.

Trustee Lueck asked if there was any analysis regarding the impact on job creation with a Blue Line extension versus road construction. Mr. Cole explained that studies show that transit construction offers more jobs which are longer-lasting and higher quality than road construction. Mr. Kuner added that only eleven metro areas in the United States include heavy rail transit (Chicago and Cleveland in the Midwest) and that most members of Congress represent areas where roads are the only means of transportation. He also noted that some communities, such as Berwyn, are impacted by these plans but are excluded from the Corridor Advisory Committee although many residents use the Blue Line.

Trustee Lueck noted the three-pronged response proposed by Mr. Kuner and suggested that this is the time to take action. Mr. Kuner suggested that an attorney could be an advocate to make our case, and suggested that a Village-based committee should be involved. Trustee Lueck urged that this be a top priority issue for the Village Board and the Village as a whole.

Mr. Kuner explained the current strategy of documentation, education of the public and challenging conclusions of IDOT, but this is not enough. The next step in the process will be the sign-off on the Purpose and Need statement, which has been delayed but will likely be completed around year end.

Village Attorney Simone Boutet noted the need for transit at First Avenue, and Mr. Kuner agreed. He explained the distinction between "captive" riders (without a car) and "choice" riders (who find transit more convenient than their car).

Trustee Tucker noted that many people initially support another lane, but not HOV. HOV is not familiar to local residents. Mr. Kuner noted that IDOT proposes to use data from other regions on HOV lanes, but that not all work. The real question is whether this would work in this corridor. Better alternatives are available, and toll lanes will work better to reduce congestion if there's an effective transit option.

CONTINUED

President Pope noted that BRT is really intended to bring people from upper income areas in far west suburbs quickly to the Loop. The plan is based on current demand and ignores the needs of residents in the corridor, many of whom do not own cars.

This encourages urban sprawl rather than encouraging better land use and job development through transit access to areas directly east and west of Oak Park. HOV or HOT doesn't help those without a vehicle. Mr. Cole noted that express bus service doesn't work well in the corridor and that PACE has recently cancelled service on I290 due to low demand. Trustee Tucker noted that he had looked at BRT examples at the last IDOT public meeting held at Proviso Match and Science Academy, which provided a completely different approach than this proposal.

Trustee Brewer asked about whether IDOT is considering any alternative without eight lanes, and if additional land would be needed if the proposed additional lanes are built. Mr. Kuner explained that the only option proposed which does not include additional lanes is the "no build" option, and that IDOT may need additional land at the Harlem and Austin interchanges. This does not include all prudent and feasible alternatives as required by law.

Trustee Brewer asked about alternatives, including "No Build." Mr. Kuner said that the corridor does need to be improved. Trustee Brewer asked about a possible "cafeteria plan" for each scenario. Mr. Kuner explained that most elements work better in combination than alone; if more traffic goes downtown, they will need a place to park cars there, and noted current consideration of a congestion tax in Chicago to discourage more cars. President Pope added that making some choices may preclude other choices.

Trustee Brewer observed that we may need to assume more lanes, and that IDOT won't see Blue Line extension as the only option in the corridor. He suggested that we might propose other plans. Mr. Kuner suggested that we need to work this through and consider Plans A and B, along with the various impacts of each option. President Pope added that the eight communities in the corridor must agree to any proposal, including no changes and will have a say in this.

Trustee Brewer asked what the other seven communities are thinking, and what their vision is. President Pope noted that we have discussed options with them, and the West Central Municipal Conference will have a voice, as well as the DuPage Mayors and Managers, for land use through the extended corridor.

Trustee Lueck suggested that there should be a coordinated effort with the other communities. Once the Purpose and Need statement is finalized, there's not an opportunity to change it. President Pope explained that challenges must be made during the process to address deficiencies, and this has been done. How can we assure that models include measures and elements and support of those making decisions.

President Pope noted that the our preferred plan include consideration of land use, that throughout the corridor congestion mitigation be accomplished through

CONTINUED

extension of the Blue Line, that transit investment advance economic development and land use opportunities through the corridor, and that ramps do not turn adjacent side roads into racetracks, reducing safety and housing values. He mentioned a potential option with a right-hand intersection with a central exit point instead of side roads, and suggested that other exits consider this alternative.

Mr. Barwin suggested resolutions on proposals Oak Park favors and regarding other communities. Mr. Kuner noted that he and Mr. Cole will be making submissions. President Pope urged that the process be collaborative with other communities.

Trustee Hedges noted that residents who spoke to him asked about capping the Ike, but had no information about the issues at stake here. Mr. Kuner noted that issues are being addressed; RTA officials were impressed with the knowledge shown by Oak Parkers at a public meeting and noted the importance of education. The CAT has over 600 members; 60-70% are Oak Parkers.

Trustee Salzman noted that CAT has provided important groundwork for any challenge to findings, and suggested that now was the time to provide a challenge on environmental impact issues. He emphasized the importance of education in Oak Park and other communities so that people are aware of the issues.

Mr. Kuner noted that when the Purpose and Need statement has been signed, it will be harder to challenge this, but it is a long process.

B. Regional Modeling, as it relates to alternative evaluation

Mr. Kuner said the Chicago Metropolitan Agency for Planning (CMAP), which combined land use planning that was done by NIPC and transportation planning that was done by CATS. He said there are three parts to this presentation: Pre-model work tasks, CMAP travel models, and air quality conformity analysis.

He explained the pre-model work tasks, CMAP travel models and explained the details of the process. He then reviewed the air quality conformity analysis and noted that the Chicago area is not compliant with ground level ozone and fine particulate matter; these will need to be addressed in the IDOT study to show that these will not be worsened by the solution chosen and should stay below designated levels. Ozone is mostly a summer problem worsened by heat and impacts a wide area (40% of Oak Park's population). Particulates come from tailpipes and automobile breaks and are limited to a half block from the expressway. This area includes libraries, schools and the south fire station. Mr. Kuner noted that it's important to run emissions models due to impact on the health of local residents, especially children and senior citizens.

He explained the calibration and validation of models through collection of samples. However, early models have not worked well when compared with actual results. Models can provide valuable insights, track enormous amounts of data, complete tedious tasks, and show what can happen prior to building.

CONTINUED

President Pope noted that such models don't take a long term view and anticipate changes in human behavior, such as induced demand of additional lanes increasing congestion again. A policy subsidizing roads promotes further out-migration and will fill roadways, promoting sprawl. Mr. Kuner noted that increases in gas prices and congestion mitigation in the city can have the opposite effect.

Trustee Lueck asked about a shared resolution with other communities. President Pope noted that this would be a longer-term process, and that efforts by other communities are important to this process.

Mr. Kuner provided an example in the current process in which the Prairie Path option for the Blue Line has been removed from current models due to concerns by Hillside and others. President Pope noted that this was politically untenable, which led to the change.

President Pope and Mr. Barwin expressed their thanks to Mr. Kuner for his presentation and his ongoing work on this issue.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 10:57 P.M. on Monday November 14, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

Teresa Powell, Village Clerk

**DRAFT MINUTES - SPECIAL BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, NOVEMBER 21ST, 2011 AT 6:30 P.M.
IN ROOM 130 OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pro-Tem Hedges called the meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Trustees Brewer, Johnson, Lueck and Tucker; President Pro-Tem Hedges
ABSENT: Trustee Salzman and President Pope

III. AGENDA APPROVAL

It was moved and seconded to approve the agenda for the meeting. A voice vote was taken and the agenda was approved.

VI. PUBLIC COMMENT

There was no public comment.

- V. It was moved and seconded that Ordinance 2011-0-71 ENTITLED ORDINANCE AUTHORIZING THE SALE OF 1041 S. LOMBARD INCLUDING GRANTING A \$15,000 LOAN AND A \$15,000 GRANT FOR HOME IMPROVEMENTS be adopted.

Village Manager Tom Barwin announced that the resources from this sale would be put into the General Fund.

Trustee Johnson noted that the Loan and Grant Program applies to the sale of every Barrie Park home, regardless of the sale price.

Deputy Village Manager Lisa Shelley noted that the Village and Com Ed each provided \$7,500 in grant funds. The loan portion would be considered a lien on the property. She added that this program was offered to residents in Areas 1 and 2; approximately 90 homeowners have taken advantage of it.

Trustee Johnson requested the total loss amount regarding all six properties and commented that these were bought at the height of the housing market but sold in a slow market.

IX. ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 6:37 P.M. on Monday, November 21, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk

**Citizen Boards and Commissions
Vacancies**

UPDATED: 11/18/2011

Committee Name	Total Members	Number of Vacancies	Expired but Serving*	Total # Needed
BUILDING CODES ADVISORY COMMISSION	9	2	0	2
CITIZEN INVOLVEMENT COMMISSION	9	0	0	0
CIVIC INFORMATION SYSTEMS COMMISSION	7	0	0	0
COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE	7	1	0	1
COMMUNITY RELATIONS COMMISSION	9	1	0	1
CITIZEN POLICE OVERSIGHT COMMITTEE	7	0	0	0
COMMUNITY DESIGN COMMISSION	13	2	0	2
ENVIRONMENT & ENERGY COMMISSION	9	1	0	1
FARMERS MARKET COMMISSION	11	2	0	2
FIRE AND POLICE COMMISSION	3	0	0	0
HEALTH, BOARD OF	7	1	0	1
HISTORIC PRESERVATION COMMISSION	11	0	0	0
HOUSING PROGRAMS ADVISORY COMMITTEE	7	2	0	2
LIQUOR CONTROL REVIEW BOARD	5	0	0	0
PLAN COMMISSION	9	0	1	1
PUBLIC ART ADVISORY COMMISSION	11	1	0	1
TRANSPORTATION COMMISSION	7	0	0	0
UNIVERSAL ACCESS COMMISSION	7	3	0	3
ZONING BOARD OF APPEALS	7	1	0	1
TOTAL	155	17	1	18

Bolded CBACs need members

CHAIR EXPIRATION DATE

HEALTH, BOARD OF	No Chair
COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE	No Chair
BUILDING CODES ADVISORY COMMISSION	9/7/2008
HISTORIC PRESERVATION COMMISSION	4/20/2012
HOUSING PROGRAMS ADVISORY COMMITTEE	5/11/2012
PUBLIC ART ADVISORY COMMISSION	5/11/2012
CITIZEN POLICE OVERSIGHT COMMITTEE	10/17/2012
CITIZEN INVOLVEMENT COMMISSION	6/20/2014
LIQUOR CONTROL REVIEW BOARD	2/5/2013
COMMUNITY RELATIONS COMMISSION	1/19/2013
ENVIRONMENT & ENERGY COMMISSION	8/2/2013
PLAN COMMISSION	9/18/2013
FARMERS MARKET COMMISSION	2/4/2014
FIRE AND POLICE COMMISSION	2/7/2014
COMMUNITY DESIGN COMMISSION	5/16/2014
UNIVERSAL ACCESS COMMISSION	6/6/2014
ZONING BOARD OF APPEALS	7/18/2016
CIVIC INFORMATION SYSTEMS COMMISSION	8/4/2014
TRANSPORTATION COMMISSION	11/7/2014

APPOINTMENTS

28 NOVEMBER 2011

Community Design Commission

Appoint as Member:

Teresa Heit-Murray
604 Wenonah Ave.
708-848-9312

Term expires 11-28-14

Variable Name	Value
TODAYS DATE	10-29-11
FIRST NAME	Teresa
LAST NAME	Heit-Murray
ADDRESS NUMBER	604
STREET NAME	Wenonah Ave.
ZIP CODE	60304
EMAIL	teresa@heitmurray.com
YEARS RESIDENT	10 or more
OWN	own
APPLICANT TELEPHONE	(708) 848-9312
ALT APPLICANT TELEPHONE	(708) 870-3997
FIRST CHOICE	Public Art Advisory Commission
DATE ATTENDED 1	11/02/11
REASON 1	I am an experienced designer, mom, teacher, and long time resident of Oak Park. I would like to be of assistance to help in the planning for the Public Art in Oak Park. I appreciate the power of Art to help distinguish a star community like Oak Park.
SECOND CHOICE	Community Design Commission
DATE ATTENDED 2	
REASON_2	I am an experienced designer, mom, teacher, and long time resident of Oak Park. I would like to be of assistance to help in the planning for the Public Design in Oak Park. I would like to help create a more cohesive plan for urban planning of Oak Park.
THIRD CHOICE	Farmers Market Commission
DATE ATTENDED 3	
REASON_3	I am an experienced designer, mom, teacher, and long time resident of Oak Park. I would like to be of assistance to help in the planning for the Farmer's Market in Oak Park. I love the market and would like to help continue it's success.
WILLING TO SERVE OTHER COMMISSION	on
AVAILABILITY	asneeded
WHY SERVE	I would like to give back to a community that I appreciate. I have valuable design experience and am a long time resident of Oak Park. I am currently a working part-time, so I do have some time to volunteer.
DOB	06/26/66
GENDER	female
STATUS	married
DEPENDENTS	1
PROFESSION	Designer and Yoga Teacher
ACCOMODATIONS	

WORD	on
EMPLOYER_NAME	Self employed
EMPLOYER TELEPHONE	
EMPLOYER ADDRESS	
BUSINESS_TYPE	Designer and Yoga Teacher
ACTIVITIES	I am a current member of a babysitting co-op in Oak Park. I was a board member several years for a condominium in Oak Park. I am planning to teach yoga for the Park District next year as an independent contractor. I currently teach at two gyms, two studios and a Chiropractor. I am a member of the Yoga Teacher's Alliance. I was an Exhibition Designer for the Field Museum of Natural History of Chicago for 12 years.
REFERENCE_1	Elizabeth Kidera
REF_1 TELEPHONE	
REFERENCE_2	Jacquelyn Eckholm
REF_2 TELEPHONE	(708) 386-5478
REFERENCE_3	
REF_3 TELEPHONE	
SUBMIT	Submit
EMAILADDR	clerk@oak-park.us; mschoenneman@oak-park.us
EMAILSUB	Board, Commission or Committee Application Form
RETURNPAGE	http://www.oak-park.us/volunteer/applicationthankyou.html

2011 Cavalcade of Pride Award Winners

Residential:

Zone 1: 730 Forest/ Deborah & Randolph Ruff

Zone 2: 1100 N. Elmwood/ Theodore Foss & Kent Dymak

Zone 3: 521 N. Lombard/ Larry & Gayle Ruprecht

Zone 4: 417 N. Kenilworth/ Thomas Nielsen & M.B. Leonard

Zone 5: 170 N. Elmwood Ave./ Thomas & Donna Weigel

Zone 6: 212 N. Harvey/ Brett & Sarah Williams

Zone 7: 733 Clinton Ave./ Lawrence & Kim Cozzi

Zone 8: 1032 S. Scoville/ Sojin Shikano & Yukari Okamoto

Zone 9: 1133 S. Harvey/ Michael & Jeannie Walters

Special: Oak Park Conservatory 615 Garfield/ Henrietta Yardley, Manager

Signage: Cappelli Institute of Music 1053 Lake Street/ Jeffrey Cappelli, owner

Commercial: Kinderhook Tap 800 S. Oak Park/ Marci Hughes & Kristin Graham, co-owners

Multi-Family: 255 South Boulevard / Javier Reyes, RSTOA President

Garden: 735 Wenonah/ John & Alice Tulley

Good Neighbor: Elite Tire & Auto Service 35 S. Harlem, Forest Park / Rod Nunley, owner
Autre Monde Café 6727 W. Roosevelt, Berwyn/ Christine Tully & John Aranza, co-owners

VILLAGE OF OAK PARK

A

CITIZEN ADVISORY BOARD AND COMMISSION

AGENDA ITEM COMMENTARY

Item Title: Motion to Accept the Madison Street Streetscape Plan as proposed by the consultants and Madison Street Streetscape Steering Committee and allocate appropriate funds.

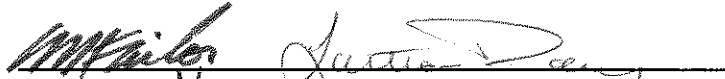
Resolution or Ordinance No. _____

Date of Board Action: November 28, 2011

Submitted by: Madison Street Streetscape Steering Committee

Staff Members & Reviewers: Craig Failor, Village Planner
Loretta Daly, Business Services Manager

Department Director Names:



Village Manager's Office:



Citizen Advisory Board or Commission Issue Processing (Dates of Related Commission Meetings): As the result of a Request for Qualifications (RFQ) process in October 2010 where twelve (12) respondents provided their qualifications and where the top three (3) consultants were interviewed, staff recommended *Altamanu, Inc* as the preferred consultant. The selection committee consisted of representation from planning, business services, forestry, public works, engineering, parking, and the Madison Street Coalition / Madison Street Business Association. *Altamanu, Inc.* brought two sub-consultants as members of their project team; *Christopher B. Burke Engineering* who has worked on multiple streetscape and bike projects and *Sam Schwartz Engineering* who specializes in innovative integrated traffic solutions and was heavily involved with the "greening" of New York City and expansion of their bike system.

The Village Board approved the Resolution Authorizing the Execution of a Contract with *Altamanu, Inc.* to Prepare Streetscape Design Scenarios for Madison Street in an amount not to exceed \$100,000 for Phase 1 at their November 22, 2010 meeting. The Consultant began work on this project in December 2010.

In early December staff recommended, and the Board supported, a Committee that consisted of the Madison Street Coalition members as well as various staff for a total of seventeen (17) members. They are as follows: Dennis Marani, Madison Street Business Association and Chairperson of the Madison Street Coalition; Gary Balling, Park District of Oak Park; Ed Solan, Oak Park Residence Corp.; Therese O'Neill, School District 97; Michele Kruegel, BALANCE (resident group); Jim Kaese, Oak Park - Rush Hospital; Sara Faust, Oak Park Development Corp.; Bill Murphy, Neighbors for Madison Renewal (resident group); Rebecca Paulson, Resident-at-large; Eric Thompson, U. S. Bank; Craig Failor, Village of Oak Park -Planning; Loretta Daly, Village of Oak Park -Business; John Wielebnicki, Village of Oak

Park –Public Works; Jim Budrick or Lori Brown, Village of Oak Park – Engineering; K.C. Poulos, Village of Oak Park –Sustainability; Doug Kaarre, Village of Oak Park – Historic Preservation; Tom Barwin, Village of Oak Park – Manager. On the most part, this Committee met each month, sometimes twice a month throughout the process until such a time the Consultants had a final product.

The Committee along with the Consultant held two public input meetings held at Julian Middle School in May and June 2011. Approximately 2, 500 postcards were mailed to property and business owners along the corridor. Prior to that, the Consultants presented to the Madison Street Business Association in April 2011.

Also in April 2011 the Village staff submitted for a CMAQ (Congestion Mitigation and Air Quality) grant through CMAP (Chicago Metropolitan Agency for Planning) for proposed bike lanes. In July we were informed that CMAP has released their recommendations for CMAQ grants for 2012 through 2016. The Village has been awarded \$570,000 for bike lane along Madison Street between Home Avenue and Lombard Avenue. The Village's share of this project would be 20%. The matching funds should be included in the upcoming budget based on the year projected.

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):

In October 2010, the Village Board adopted a Resolution that supports the Complete Streets concept which indicates that a Village-wide policy be crafted. The Consultant has incorporated this concept into their streetscape recommendation for Madison Street. The Complete streets concept is to provide equal opportunity to all modes of transportation which includes bicycling, vehicular, walking, public transportation in order to reduce traffic congestion while improving air quality and in general quality of life. The Consultants also introduced the concept of a "Road Diet" for this project which reduces the number of travel lanes (in this case four to three) in order to promote better mobility, better access for pedestrians, bicyclists, and transit riders. Road diets can also reduce accidents counts and extreme speeds and make shopping / doing business more comfortable

Public reaction was mixed. The attached emails represent similar concerns, such as creating more traffic in adjacent neighborhoods, the need for a wider roadway for quick trips from one end of Madison Street to the other, the need for more parking for businesses. Those in favor suggest the new street would improve safety for children as many cross Madison street, safer street for bicyclists, more green space, etc. Their concerns are overshadowed by the positives they feel will be added to the street. The Madison Street Business Association met with the consultants to hear their recommendation. The reaction was generally positive.

The Committee narrowed their recommendation to two scenarios. The physical difference between the two is the placement of the bicycle lane. One option is to provide a "protected" lane placed between the parked car and sidewalk. The other option is to place the lane along side the travel lane adjacent the on-street parking lane. This option would provide a wider lane to accommodate space for open doors of parked vehicles. The Committee, after several meetings, discussions, reviews, supports the proposed streetscape designs which incorporate Complete Streets concept, a Road Diet, including the removal of the planted center median with a protected bicycle lane.

Staff Commentary (If applicable or different than Commission): The purpose of this presentation is to inform the Village Board of the proposed streetscape options and the discussion that led to the consultant and committee's recommendation. The Village Board may wish to, and staff recommends, have a more in depth discussion of this project at a later date. However, the Village Board should consider encumbering TIF funds for this project before the end of this year in order to secure TIF funding for this project if there is a desire for implementation in any configuration as proposed or mentioned below under options.

Staff recommends that the Village Board support the Committee's recommendation and proceed with further discussion on streetscape development, whether full development or partial development of the corridor. It is also staff's recommendation that if full redevelopment of corridor is not approved, then reconsideration of a bike lane installation be discussed. A bike lane should not be introduced to this corridor if reconstruction is not considered.

Item Budget Commentary: (Account #; Balance; Cost of contract) Attached to this cover are three cost estimates from our consultants breaking down each element of the project by item and section of the roadway. **ALTERNATE 1:** The total estimated cost is \$6,897,434. This includes engineering and contingency. **ALTERNATE 2:** The total estimated cost is \$15,114,810. This option includes an on-street bike lane. This includes engineering and contingency. **ALTERNATE 2a** (identified below) for improvements from Harlem to Oak Park only is estimated at \$5MM. **ALTERNATE 3:** The total estimated cost is \$17,327,485. This option includes a protected bike lane. This includes engineering and contingency.

At this time, it has been determined that TIF availability is approximately \$7.7MM. The Village Board will need to determine how this funding and any other funding can support the proposed project, if so desired. If full redevelopment is considered, additional funding sources will need to be identified, such as municipal bonds.

As mentioned above, the Village has been awarded \$570,000 for bike lane improvements along Madison Street between Home Avenue and Lombard Avenue. The Village's share of this project would be 20% (\$114,000). The matching funds should be included in the upcoming budget based on the year projected. The above-mentioned alternates do not include any necessary underground utility improvements or potential contamination. The Village has budgeted \$9.3MM next year for upgrades.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

Alternate 1: Utilize available TIF funds to improve the corridor by installing only selected amenities such as new lighting, street furniture, planters, crosswalks, refuge islands, etc. from Harlem Avenue to Austin Boulevard.

Alternative 2: [Recommended Option] Utilize TIF funds and bonding options. Improve corridor by moving parking curbs, adding bike lane and remove medians plus amenities as mentioned in Alt 1.

Alternative 2a: Utilize available TIF funds to improve corridor - Leveraging them when possible. Improvements from Harlem to Oak Park Avenue [Phase 1] only could be implemented upon final engineering completion and construction bidding.

Alternate 3: Utilize TIF funds and bonding options. Improve corridor by moving parking curbs,

adding bike lane from Home to Oak Park, a bike track from Oak Park to Lombard, and remove medians plus amenities as mentioned in Alt 1.

Alternative 4: Do nothing. This would allow the corridor to remain as is with no improvements

NOTE: With Alternatives 1 or 4, installation of a bike lane would not be recommended.

Proposed Recommended Action: Accept the recommendations by the Madison Street Streetscape Committee for Alternate 2 and proceed accordingly.

Att – public comments, presentation materials, and preliminary cost estimate

PRESENTATION MATERIAL

Village Board Presentation

Monday November 28th, 2011



ADISON STREET



“Streets are not just for moving traffic, they are our shared public spaces”.

Comments by Business Representatives and Community Members



Rents reach record low

What should a future Madison Street be like:

- Sustainable, walkable, ped friendly, healthy, sense of community
- Slower traffic, better for business and Safer
- Make it easier to cross
 - Protect kids going to school
 - Encourage retail Synergy
 - Encourage shared parking
 - Connect N and S of street and Village
- Improved safety and Security
- Was auto and lively but that's gone, what will bring vibrancy?
- Have pedestrians and vibrancy, bring the community to the street



Make Safe for All



Capacity (traffic) before Community?

Context: National Culture Change



Transit Priority/Stevenson shoulder

Open/Pedestrian Streets in Chicago

Cycle Tracks and Bike Lanes

Shared Streets and Road Diets



Walkable Communities

Health

Economic Vitality and Flexible Communities



Madison Street has two different cross sections and characters

Harlem

Home

Oak Park

Ridgeland

Austin

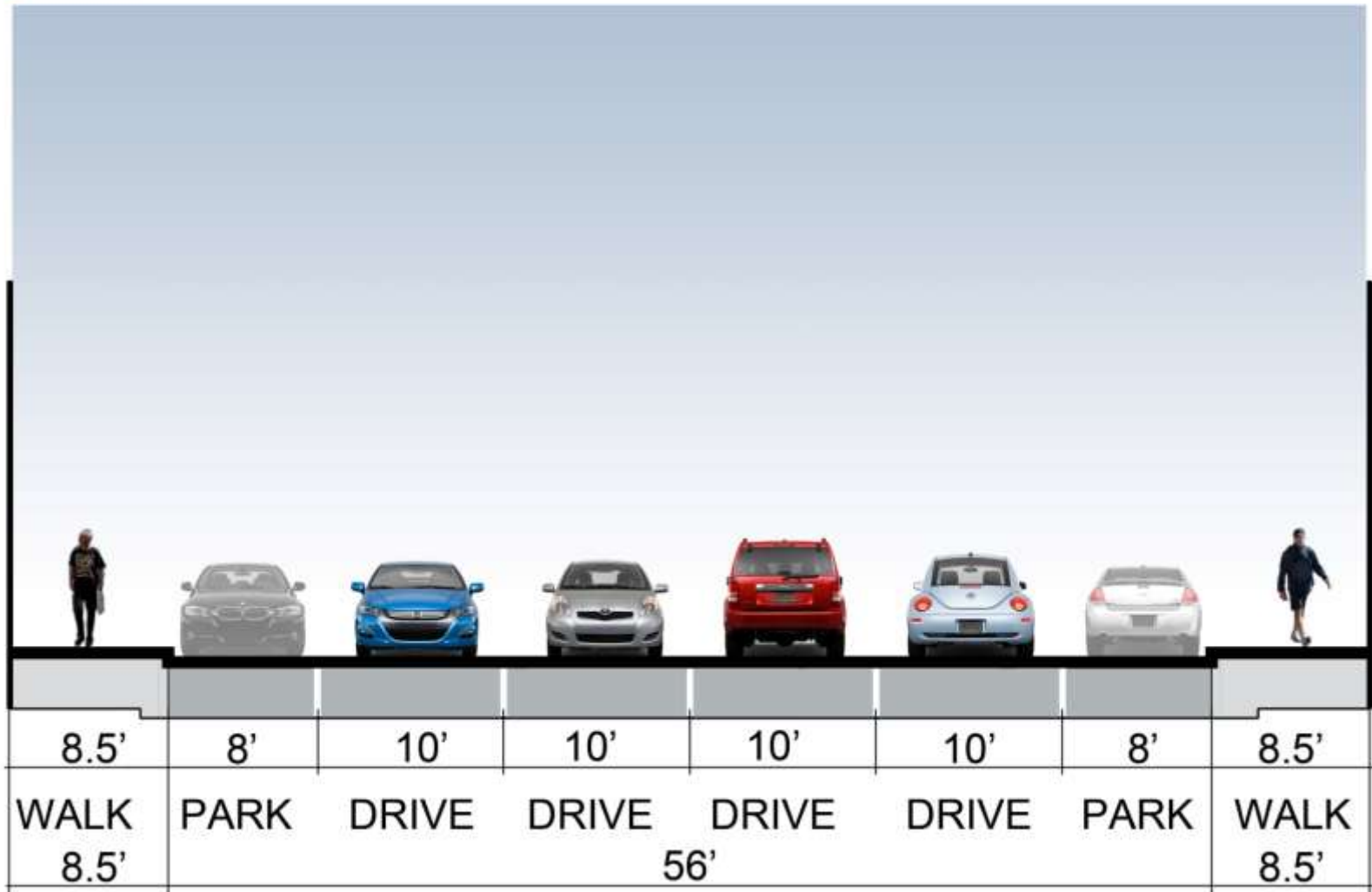


2 different characters along corridor

EXISTING



HOME TO OAK PARK

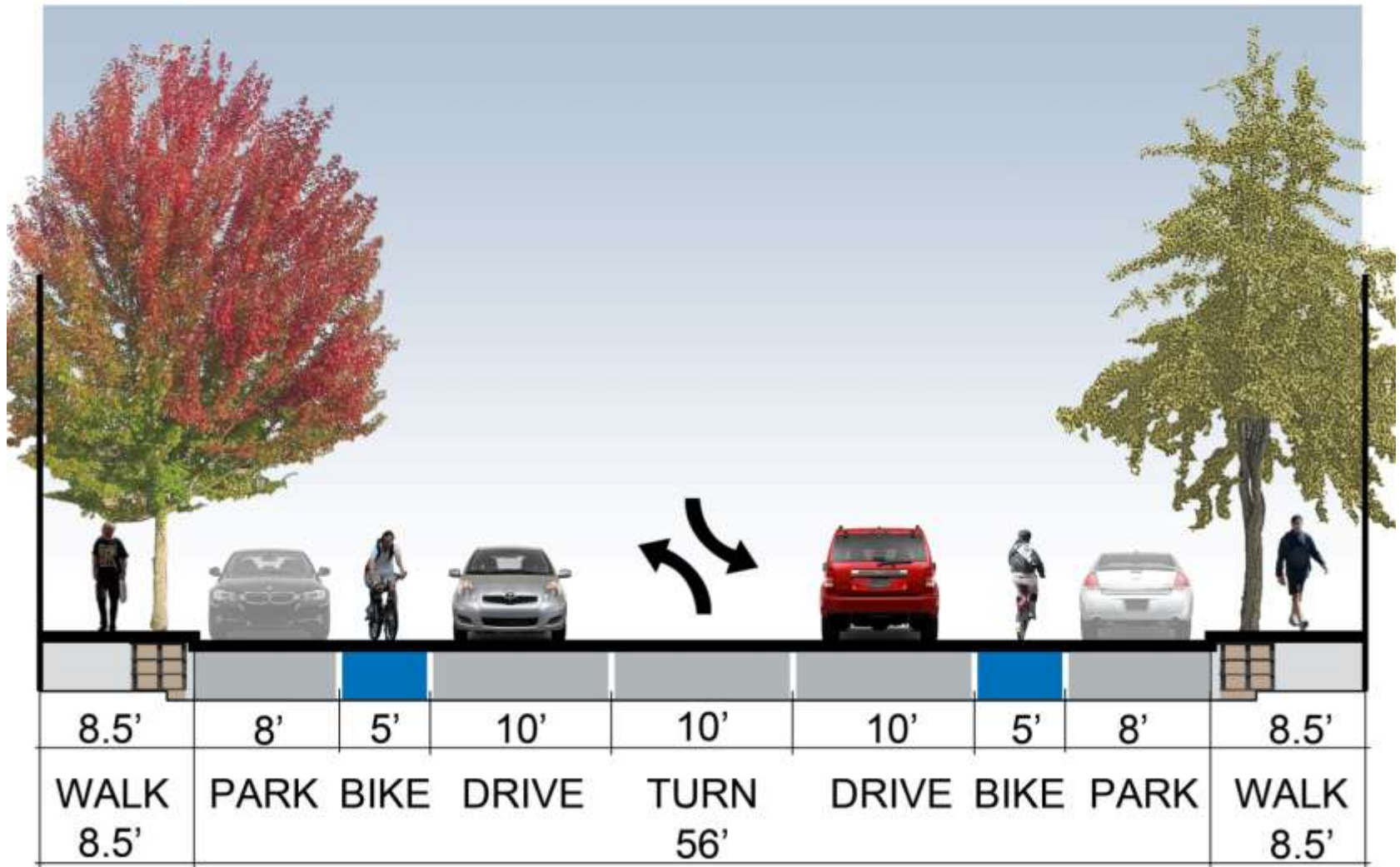


73 ft wide

ALTERNATE



HOME TO OAK PARK



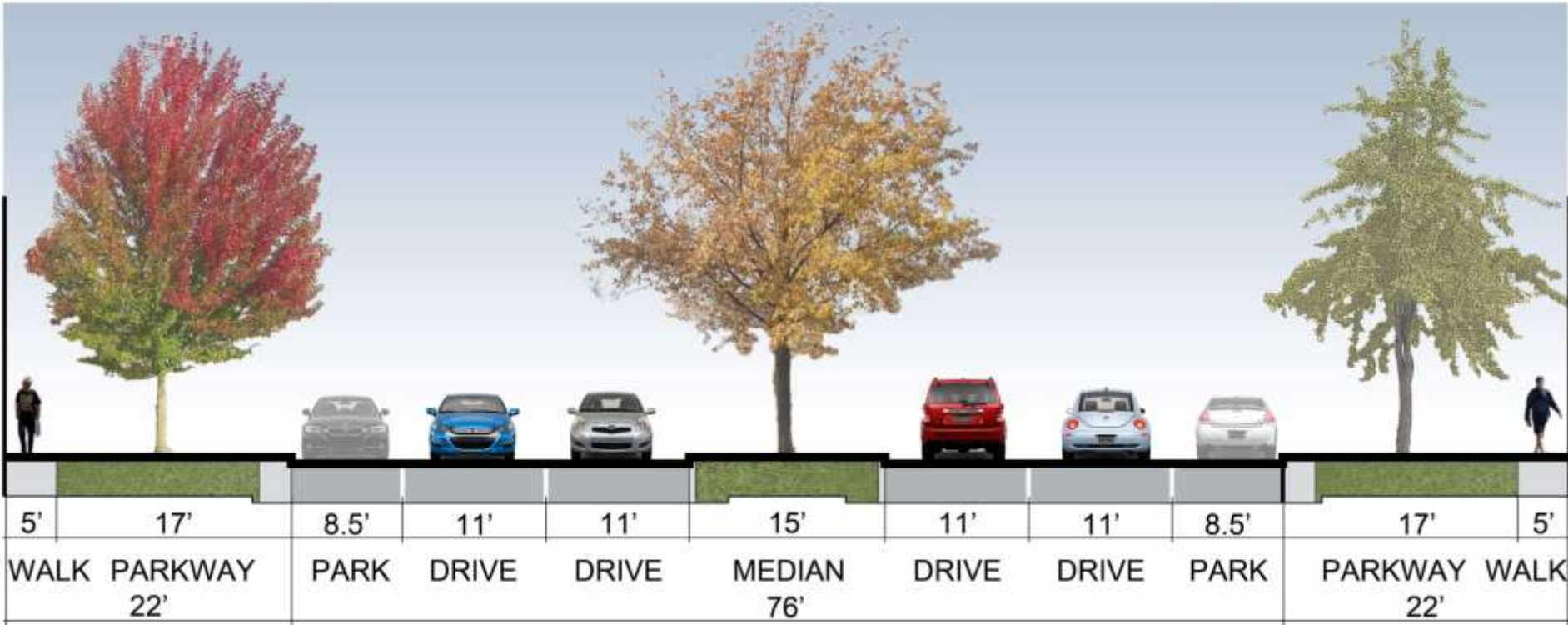
73 Ft. wide

Add trees in grates, bike lanes and center turning lane, lengthen turning lanes at Harlem

EXISTING

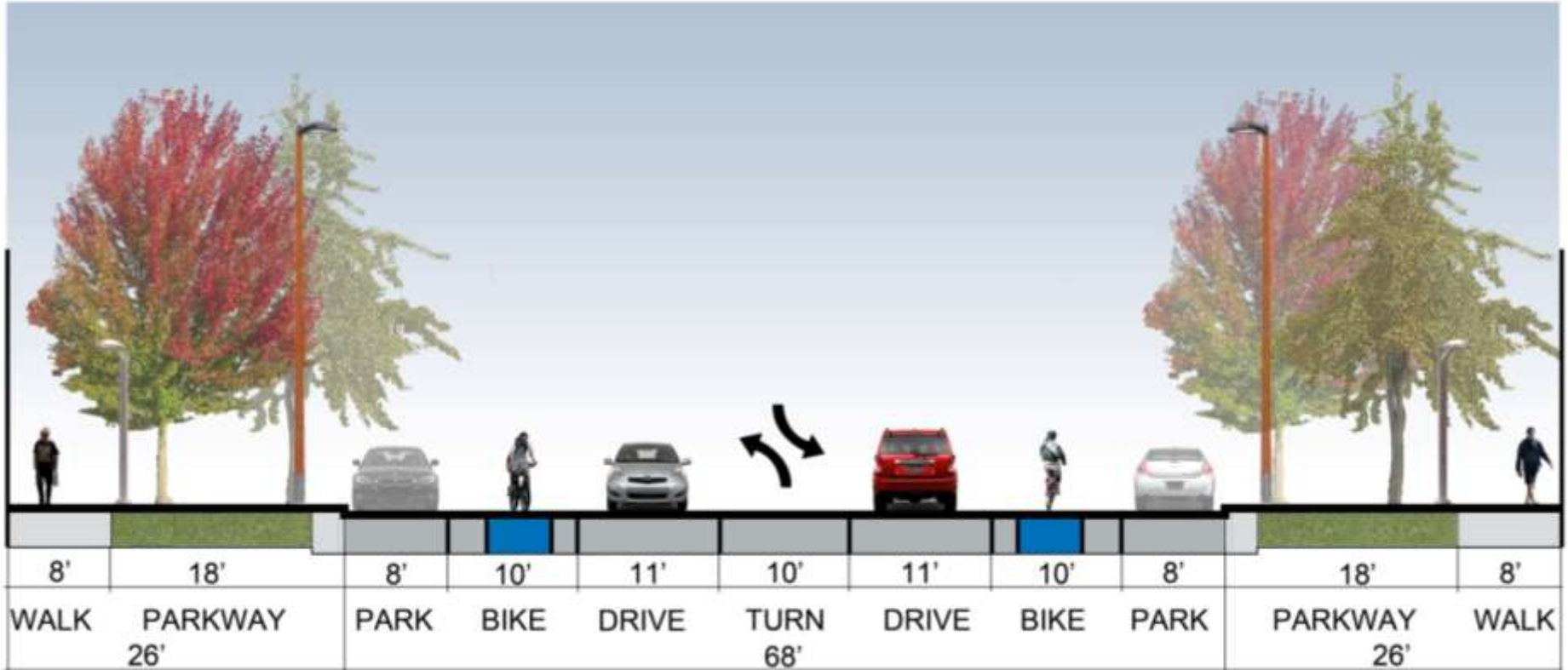


OAK PARK TO AUSTIN



120 ft wide

2 OAK PARK TO LOMBARD



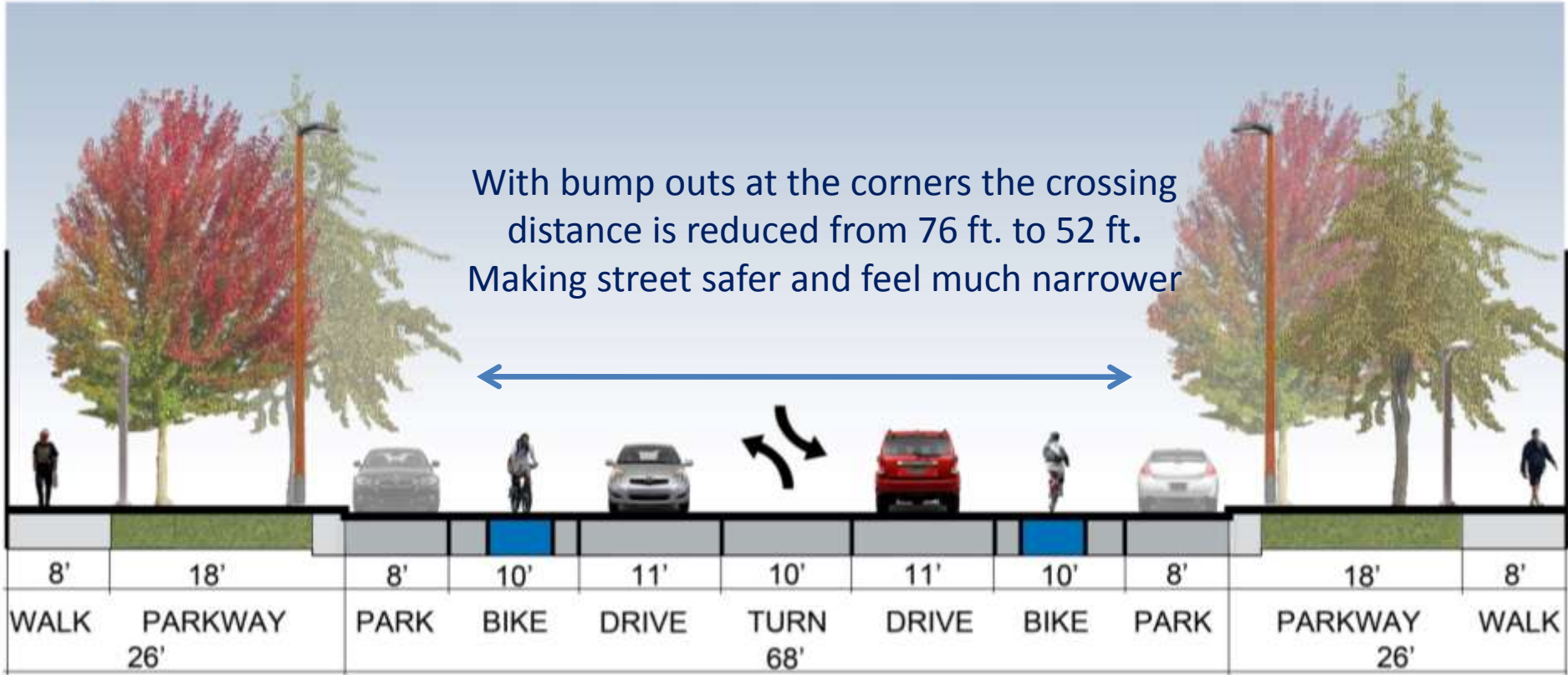
Make Same cross section from Lombard to Home

Road Diet, Bike Lane replaces car lane, parkway (22' becomes 26')

Median removed allows emergency vehicles to pass, More Space in parkways for trees

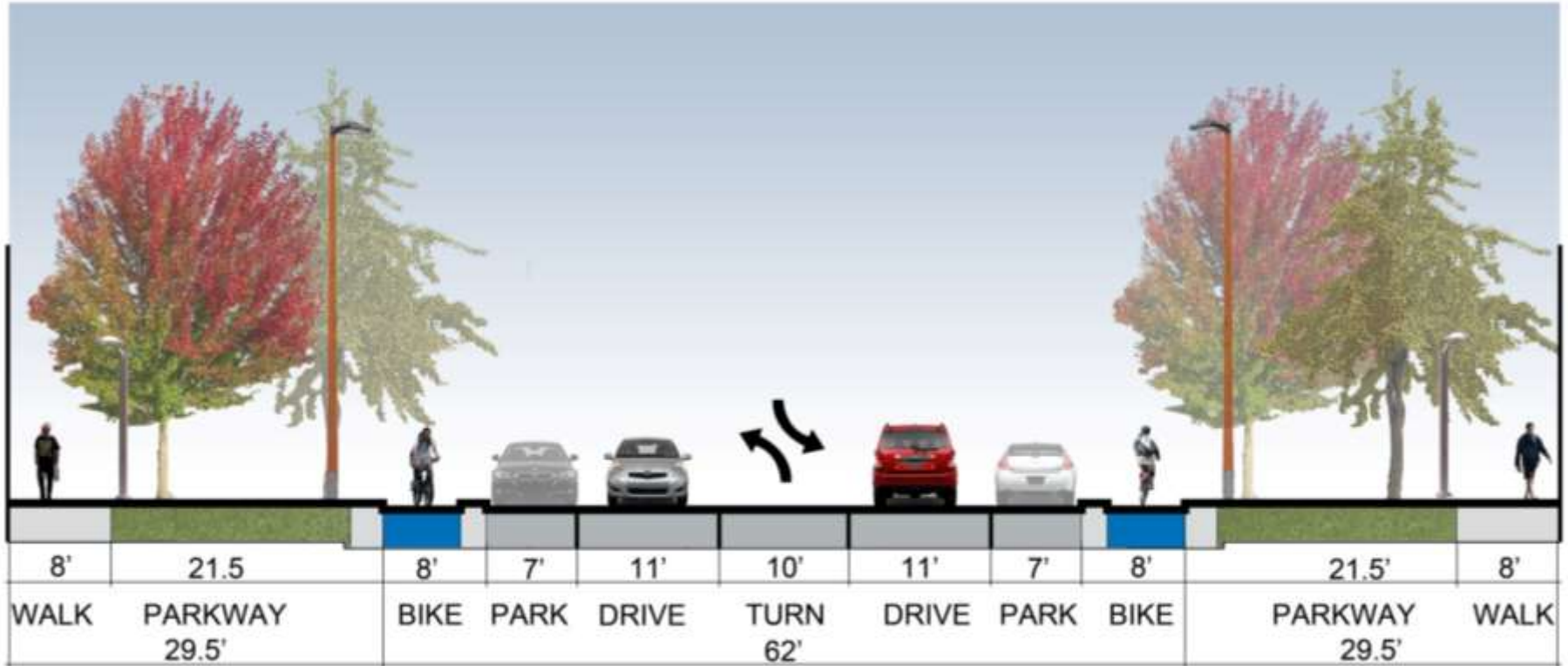
2 OAK PARK TO LOMBARD

With bump outs at the corners the crossing distance is reduced from 76 ft. to 52 ft. Making street safer and feel much narrower



ALTERNATE

3 OAK PARK TO LOMBARD



Road Diet, Bike/Cycle Track on inside of parked cars and protected by a curb

3 OAK PARK TO LOMBARD

With bump outs at the corners the crossing distance is reduced from 76 ft. to 32 ft.
 Making street feel much narrower





“The street is scale less”

Make the street more pedestrian friendly

Divide the street into a series of recognizable, walkable public spaces

With Gateways 

Crosswalk Plazas 

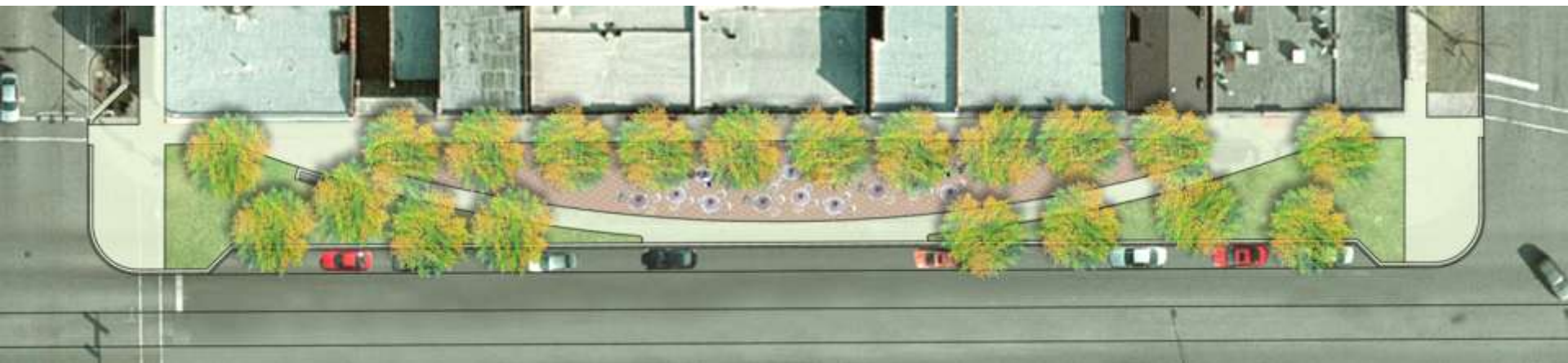
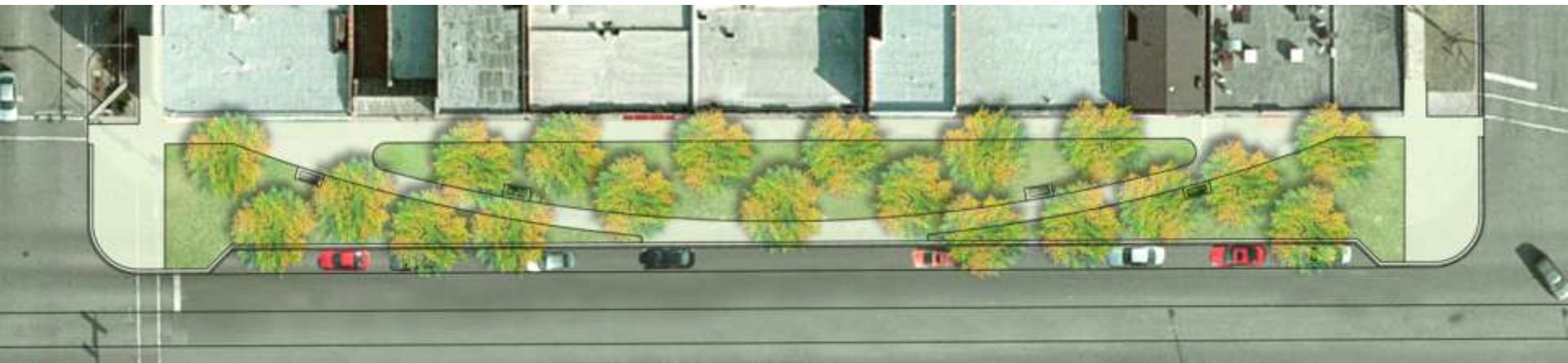


- Road Diet makes it easier/safer to cross
- Less of a barrier for community
- Increased retail synergy between sides of street
- Easier access to parking on other side of street

CLARENCE

WESLEY

The extra pedestrian space could be used for a naturalized **linear park setting** – as in Master Plan
Or used for events, outdoor restaurants, mini plazas



Madison at Harlem



Major Gateways – Harlem - Preliminary





Madison at Euclid—Existing Conditions



Bike Lane added
bump outs
mini plazas in wider parkway zone
parking remains

Madison at Ridgeland—Existing Conditions



Madison at Ridgeland—preliminary Bike Lane---looking east



Bike lanes, bump outs, textured and colored crosswalks, sidewalk edge at properties, mini corner plazas with seating and large re-used planters

Madison at Ridgeland—preliminary Bike Lane---looking west



Madison at Ridgeland—preliminary Bike Track---looking west



Civic Plaza – Imagine festivals, Community Events, Join to Plaza in Village Hall



Harlem to Home



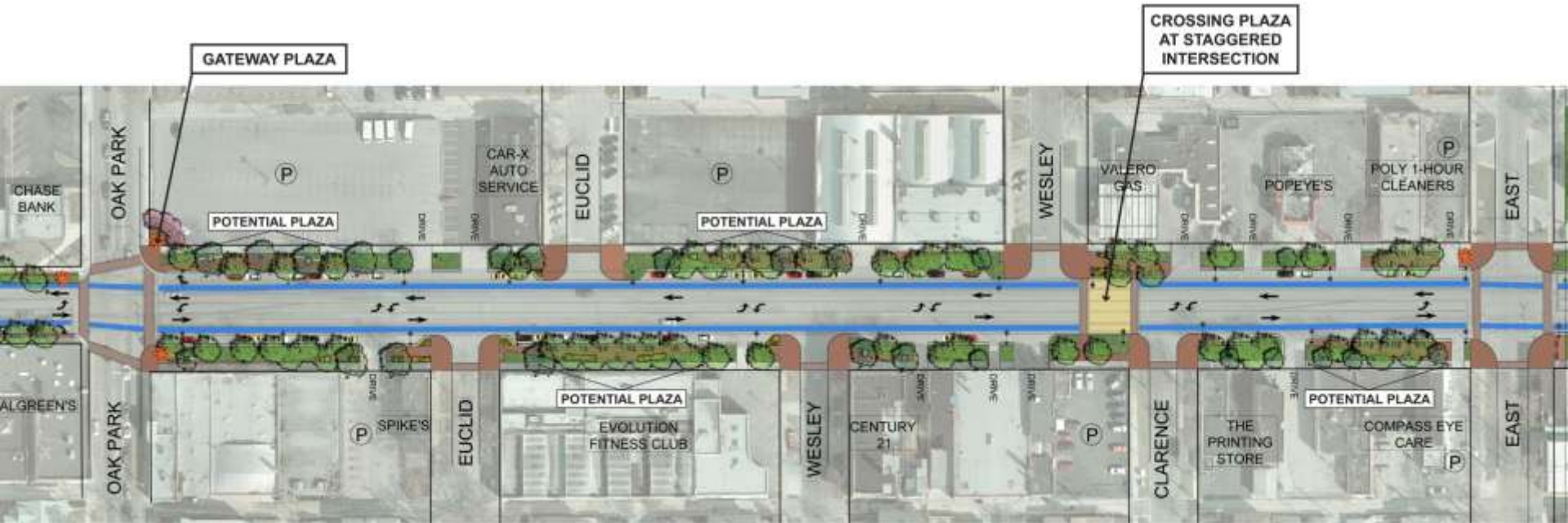
Gateway at Harlem, Longer turning lane at Harlem reduces back up, Trees in grates added, Wider sidewalks in certain areas, Colored crosswalks, Bump-outs, Shorter crossing distances

Home to Oak Park



Trees in grates added, Colored crosswalk plazas, Bump-outs, Shorter crossing distances

Oak Park to East



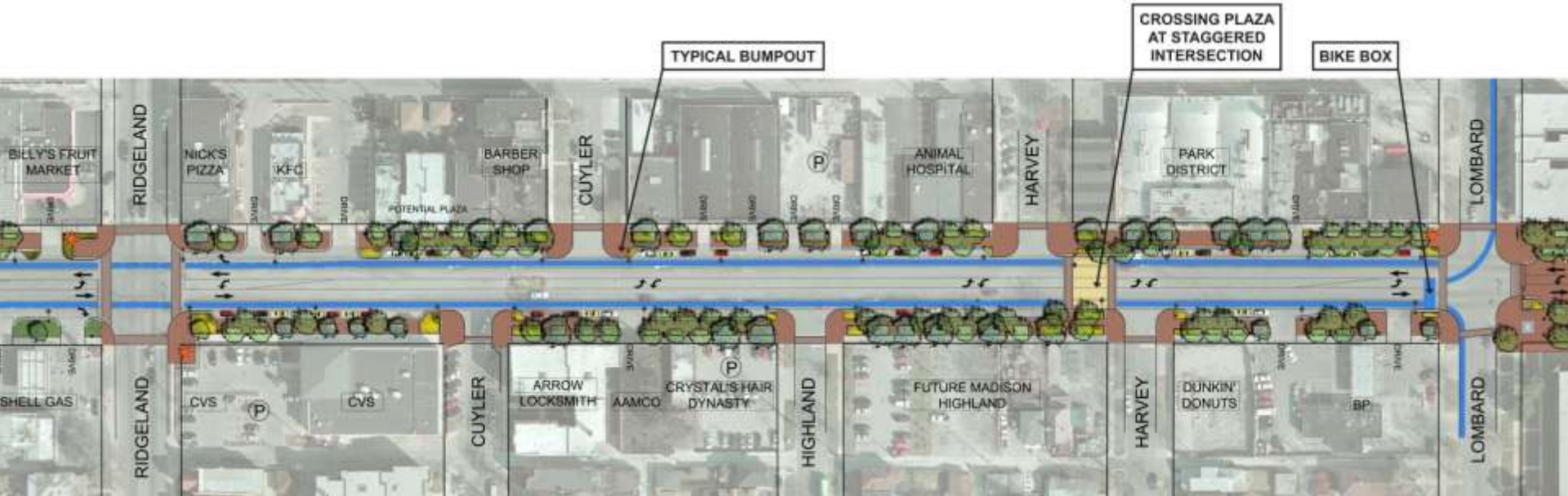
Gateway at Oak Park Avenue, Road Diet, Bike Lanes, Wider parkways, Wider sidewalks, Colored crosswalk plazas, textured and colored crosswalks, Bump-outs, Shorter crossing distances, Mini corner plazas with seating

East to Ridgeland



Road Diet, Bike Lanes, Wider parkways, Wider sidewalks, Colored crosswalk plazas, textured and colored crosswalks, Bump-outs, Shorter crossing distances, Mini corner plazas with seating

Ridgeland to Lombard



Road Diet, Bike Lanes, Wider parkways, Wider sidewalks, Colored crosswalk plazas, textured and colored crosswalks, Bump-outs, Shorter crossing distances, Mini corner plazas with seating

Lombard to Austin



Bike Lanes connect to Lombard N/S, Civic Plaza as setting for Village Hall, textured and colored crosswalks, Bump-outs, Shorter crossing distances, Gateway at Austin

Village of Oak Park
Department of Public Works
Engineering Division

MEMORANDUM

July 22, 2011

TO: Tom Barwin, Village Manager
FROM: Jim Budrick, Village Engineer
RE: CMAQ Projects Recommended for Funding
CC: John Wielebnicki, Director of Public Works

The Chicago Metropolitan Agency for Planning (CMAP) has released their recommendations for CMAQ (Congestion Mitigation and Air Quality) grants for 2012 through 2016. The following table outlines the projects that were submitted and those being recommended for funding.

Project	Projected Construction Year	Total Amount	Recommended Yes / No
Traffic Signal System Software Upgrade	2012	\$130,400	Yes
Bicycle Parking Near the Blue Line	2013	\$235,000	Yes
Electric Vehicle Charging Stations and CNG Station Upgrade	2013	\$210,500	No
Pedestrian Detection System and Countdown Signals at Select Intersections	2014	\$399,400	No
Bicycle Parking At North Blvd. and Marion Street	2014	\$100,000	Yes
Madison Street Bike Lane from Lombard to Home		\$570,000	Yes
	Total	\$1,645,300	\$1,035,500

As you may recall, the Village's share of these projects would be 20%. The matching funds will need to be included in the upcoming budgets based on the year projected.

ORIGINAL
RESOLUTION

2010-R-125_P_101810

Expressing Support for Complete Streets Policy

WHEREAS, the Complete Streets program promotes streets that are safe and convenient for all users, including pedestrians, bicyclists, public transportation riders and motor vehicle drivers of all ages and abilities; and

WHEREAS, streets that support and invite multiple uses, including safe, active and ample space for pedestrians, bicycles, and public transportation, are more conducive to the public life and efficient movement of people than streets designed primarily to move automobiles and trucks; and

WHEREAS, promoting pedestrian, bicycle and public transportation travel as an alternative to the automobile reduces negative environmental impacts, promotes healthy living and is less costly to the commuter; and

WHEREAS, the full integration of all transportation modes into the design of streets and highways will increase the capacity and efficiency of the road network, reduce traffic congestion by improving mobility options, limit greenhouse gas emissions and improve the general quality of life; and

WHEREAS, studies have found that providing more travel options, including public transportation, bicycling and walking facilities, is an important element in reducing traffic congestion. Many studies show that when roads are better designed for bicycling, walking and taking transit, more people do so; and

WHEREAS, the Federal Highway Administration has confirmed that designing streets with pedestrians in mind significantly reduces pedestrian risk. The development of a more complete transportation network will eliminate hazards and improve safety for pedestrians and cyclists, who now make up more than 12 percent of all traffic fatalities; and

WHEREAS, the design and construction of new facilities should anticipate future demand for bicycling, walking and other alternative transportation facilities and not preclude the provision of future improvements; and

WHEREAS, other jurisdictions and agencies nationwide have adopted Complete Streets legislation, including the United States Department of Transportation, numerous

state transportation agencies, including the State of Illinois, Cook County, and cities such as Chicago, Sacramento, San Diego, Salt Lake City, Boulder, Seattle, Iowa City, Louisville, Portland and others; and

WHEREAS, complete streets are supported by the Institute of Transportation Engineers, American Planning Association and many other planning and public health professionals; and

WHEREAS, complete streets projects can do more to aid economic recovery than provide individual jobs; they can help create complete transportation networks that provide Americans with transportation choices that are easier on their budgets; and

WHEREAS, complete streets, as incorporated into a fiscally responsible budget, are a wise investment in our community and represent more efficient and equitable spending of public dollars.

NOW THEREFORE be it resolved by the Village of Oak Park **THAT**:

All Street projects, including design, planning, reconstruction, rehabilitation, maintenance, or operations, in the VILLAGE OF OAK PARK shall be designed in a balanced, responsible and equitable way to accommodate all modes of transportation safely and encourage travel by bicyclists, public transportation vehicles and their passengers, and pedestrians of all ages and abilities.

This policy shall allow for exemptions from complete streets if:

1. Bicycle and pedestrian facilities are not required where they are prohibited by law, such as within interstate highway corridors.
2. The cost for a particular Complete Streets Project would be excessive compared to the need or probable use of that particular complete street.
3. All project-specific exemptions are to be approved by the Director of Public Works and made part of the public record.

Policy development will be undertaken by the Village of Oak Park in accordance with nationally accepted standards for complete streets practice, as outlined by the National Complete Streets Coalition.

THIS RESOLUTION shall be in full force and effect from and after its adoption and approval as provided by law.

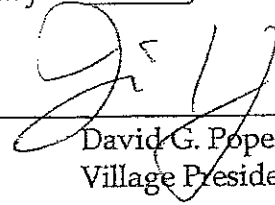
ADOPTED this 18th day of October 2010 pursuant to a roll call vote as follows:

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

NAYS: None

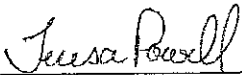
ABSENT: Trustee Pate

ADOPTED AND APPROVED by me this 18th day of October, 2010.

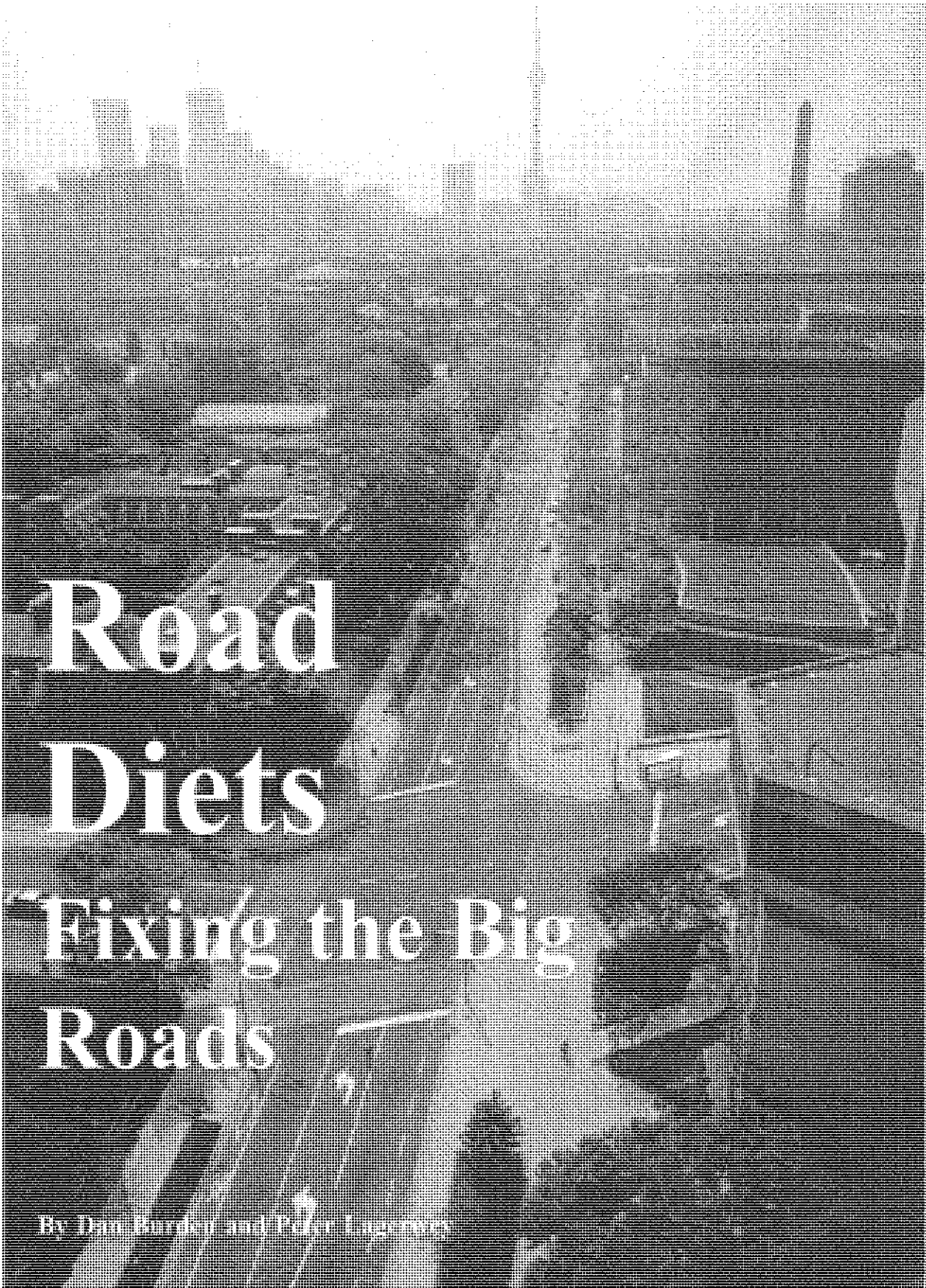


David G. Pope
Village President

ATTEST:



Teresa Powell
Village Clerk



Road Diets

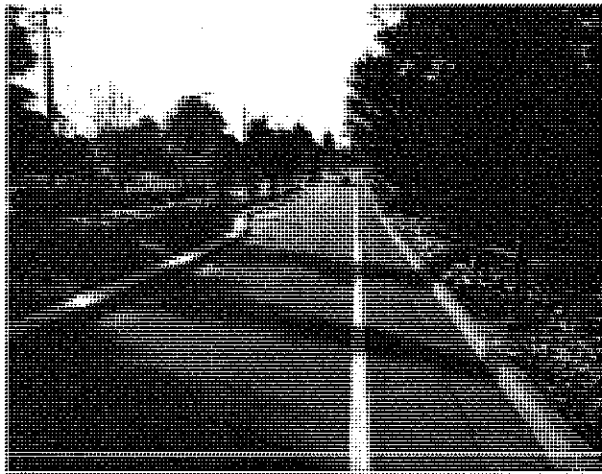
Fixing the Big Roads

By Dan Burden and Peter Eisenstein

Road Diets

Losing width and gaining respect

Can our nation's roads gain efficiency, mode share and safety by getting leaner? Many are doing just that.



Turn Lanes Help Road Capacity

Capacity remains the same. By keeping the full number of lanes at intersections, 4-lane to 2-lane conversions often keep the same high capacity of original 4-lane roadways. Turn lanes can be created at intersections.

Nationwide, engineers are putting roads on “diets,” helping them lose lanes and width. In the process formerly “fat” streets often become leaner, safer, and more efficient. They become multi-modal and more productive. In many cases these former “warrior” roadways are tamed and turned into “angels.”

Often these changed roads set the stage for millions or megamillions of dollars in new commercial and residential development. The change can increase value of existing properties. In some cases costs of reconstructing roadways are repaid in as little as one year through increased sales tax or property tax revenue.

Roadway conversions discussed here may be just the ticket to start remaking unhealthy, unsafe city neighborhoods or commercial districts and turn them into more robust, vital, economically sound places. Road conversion may be undertaken to create safer, more efficient ways to provide access and mobility for pedestrians, bicycle riders and transit users, as well as motorists. They improve livability and quality of life for residents and shoppers. Just as with human diets, road diets without doctors’ (transportation planners and engineers) analyses and prescriptions, might be foolhardy.

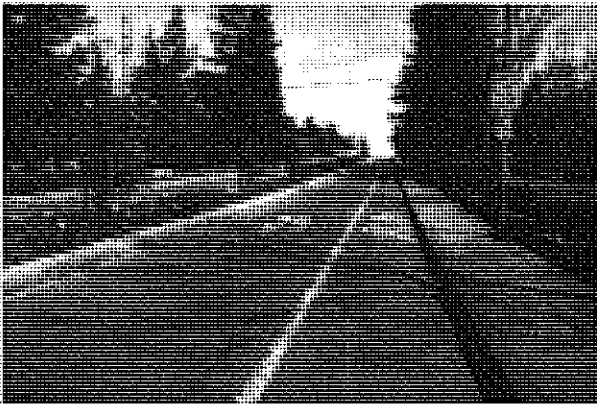
Mobility and Access Improve. Four-lane roadways significantly discourage mobility and access of transit users (cannot cross these streets), pedestrians and bicyclists. Communities, interested in providing higher levels of service and broadening transportation choices, find street conversions essential to success. Cities like Toronto in Ontario, Canada; Santa Monica, Pasadena, Arcada and Mountain View in California; Seattle, Kirkland, Gig Harbor, University Place and Bellevue in Washington; and Portland, Eugene and Bend in Oregon; are finding funds to increase mobility and access by reducing the number of lanes and widths of arterial and collector streets.

Conversions are Not New. Transportation engineers and safety specialists have long known that overloaded two-lane or four-lane roads of any volume can be risky places to drive, conduct business, attempt to access transit, walk or bicycle. On such roadways, frequent turning movements into commercial and residential driveways can result in high crash levels. On multi-lane roadways lane swapping adds friction and reduces performance.

Safety Improvements. In the 1980’s Pennsylvania DOT engineers used FHWA safety monies to fully fund a study and to convert a one-mile section of Electric Avenue in Lewistown, Pennsylvania, from four lanes to three. The roadway was carrying 13,000 ADT. After reviewing hours of time-lapse video

and analyzing crash statistics and other data, the team concluded that more uniform flow, reduced conflicts and great reduction in crashes would result from four to three-lane conversion. The change was made facing 95% opposition from local residents, who felt that their trip times would increase.

Once the new roadway section was completed, new time-lapse photography and data collection began. Dangerous maneuvers and crashes dropped to nearly zero. Overall trip times were unaffected. Today nearly 95% of those fearing the change are openly thankful to PennDOT for making the roadway better for safety, mobility and access.



Full roadway diets still move cars, but now the corridor moves people as well. Both Bellevue, Washington, and Mountain View, California, have converted formerly four-lane sections to pedestrian and bicycle friendly roads. Motorists benefit from more border width to fixed objects and are more comfortable with bicyclists and pedestrians.

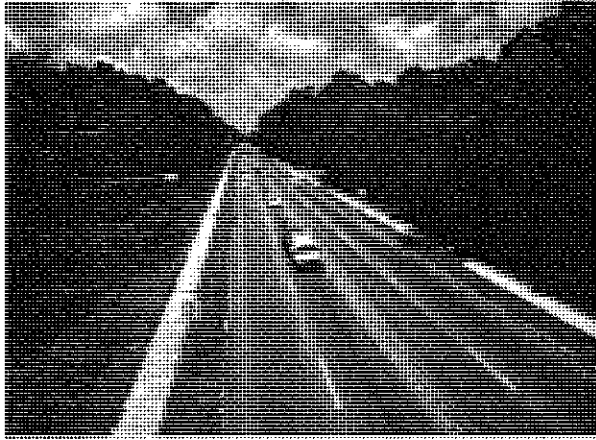
Many Roadways Await Change. America has a plethora of “leftover” four-lane roadways. Many bypasses and other road improvements leave four-lane roads ready for conversion. At the same time thousands of miles of new four-lane sections are proposed and built each year. Many of these roadways would be better designed with odd numbers of lanes or two lanes, plus medians with turning pockets.

During the past twenty years many new roadways have been constructed with three or five lanes. (Third or fifth lanes are scramble or two-way left turn lanes - TWLTLs.) These lanes add as much as 30 percent to efficiency of movement, and they often cut number of crashes in half. Significant bodies of research have

proven the value of shifting left turn movements from main through movement. Typically in these cases, however, roadways have been widened from two to three lanes or from four to five lanes.

This widening often converts sidewalks and paved shoulders or requires high cost, right-of-way acquisition. In many such cases “roadway improvements” only allow more cars into traffic streams, encouraging communities to become more car dependent. Increased congestion sends roadways’ *level of service* into long-term slide. Changes often generate more speed, noise and danger to people trying to walk, shop or live on main streets or neighborhood collectors. Property values can diminish, and towns lose their livability factors and competitive edges. This process of roadway widening can be thought of as fattening a patient. The belt is let out another notch, and the patient puts on a few more unhealthy pounds toward auto dependency.

The Road Diet. “Road dieting” is a new term applied to “skinnying up” patients (streets) into leaner, more productive members of society. The ideal roadway patient is often a four-lane road carrying 12-18,000 auto trips per day. Other roadway patients may be helped through this same process. Some especially sick four-lane patients may be carrying 19-25,000 cars per day, but still qualify for diets. What are the symptoms that scream for change? What roadways are ideal patients? And what are the upper limits?



Spare Lanes Reward Speeders

NW 8th Avenue in Gainesville, Florida. This four-lane roadway is an excellent candidate for "road dieting." Today, motorists race from the signal anticipating the merge to 2-lanes, 3000 feet ahead. Excessive speeds of 50 mph are common. School, park and bicycle trail crossing are located here. Two-lane roadway with bike lanes, medians and turning lane at the intersection is suggested by safety advocates as an alternative. The redesigned roadway would increase capacity by lowering speed.

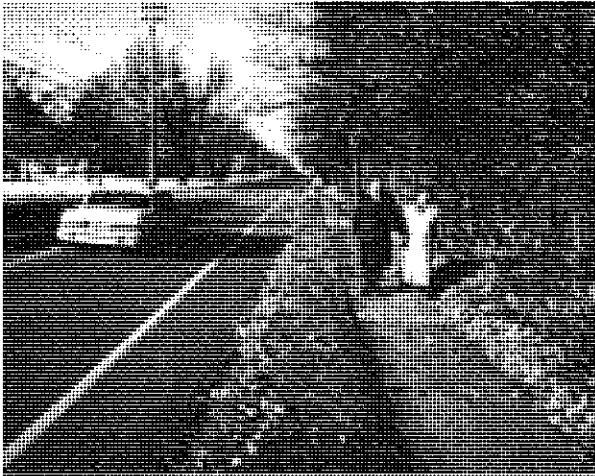
Sick Road Patient Symptoms. Four lane roadways often generate excessive speeds. These roadways also erode the ability for transit, walking and bicycling to succeed. How does this happen? Motorists using four-lane roadways, note that there are always spare lanes in their direction. They tend to drive faster than they should. Motorists using multi-lane roads seek to match speeds of other drivers. Imprudent, speeding drivers tend to set prevailing speeds. As traffic volumes increase, especially at rush hour, risk of high-speed driving increases. During peak volumes, right or left-turning movements occur. Also during these times, many motorists drive close to one another creating "screens" of impeded view. Last

minute, instant swapping of lane behavior to stay in motion leads to serious rear-end crashes. Motorists move from lanes of slowing vehicles directly into the backs of other motorists who have already slowed for their turns. The upper comfort range for arterial conversions appears to be between 20-25,000 ADT. Higher numbers have been achieved. Santa Monica officials feel most comfortable capping at 20,000, although they have hit 25,000.

Pedestrians at Risk. Pedestrians have rugged times finding gaps across four lanes. Crash rates and severity of conflicts with autos result in almost certain death (83% of pedestrians hit at 40 mph die). Many bicyclists find four-lane roads too narrow to ride comfortably. Transit users cannot safely cross streets at most locations. Thus, many people, who have formerly had mode choice, give up trying to cross streets converted to four lanes. Instead they join the daily traffic stream and add to the roadways' level of service drain.

Typical Patient and Process. Burcham Road in East Lansing, Michigan, was formerly a "fat road." Speeds were excessive. Pedestrians near the high school found it unsafe to cross the four-lane roadway. Neighbors complained about noise and danger. East Lansing's traffic engineer, John Matusik, P.E., felt that this roadway was a prime candidate for a road diet. The roadway carried 11-14,000 cars per day (AADT). Viewed from another perspective, 14,000 cars in four lanes over a ten hour period is only 3,500 per lane per day, or 350 per hour for a ten-hour period. Each lane is capable of carrying 1,900 cars per hour. Thus, cutting the number of lanes in half wouldn't affect traffic capacity.

The Diet Begins. The change on Burcham Road was made (see picture). With "leftover" road space John added turn lane (TWLTL) and bike lanes. The bike lanes give motorists more border width, moving them six feet further from fixed objects such as utility poles, hydrants and other fixed objects. Cars move today at more uniform speeds (prudent drivers set prevailing speeds). People are able to enter and exit driveways more easily.



Burcham Road's Four-Lanes to Three-Lanes

Pedestrians and motorists are more comfortable today. Motorists are easily 10 feet from fixed objects. As much as sixteen feet separate pedestrians from motorists.

Pedestrians have six feet more separation from motorists. Comfort levels of all people using the corridor have markedly improved.

Bigger Roads, Same Diet. Once John had proven he could make a moderate volume, four lane into a healthier patient, he pushed Michigan DOT to use the same diet strategy on a higher volume road, the central artery through East Lansing, Grand River Boulevard. The 23,000 AADT roadway had been sluggish and risky for years. People did not enjoy living along it or driving, walking, using transit or bicycling this corridor. This roadway section was 1.1 miles in length. The roadway serves as a regional traffic distributor. It has minimal number of commercial driveways, thus turning movements are modest.

Two Stage Implementation. Michigan DOT staff took deep, uncertain breaths and made this higher volume road conversion in two safe, evaluative steps. As Michigan DOT resurfaced Grand River Boulevard, they wanted the option of going back to four lanes if the "experiment" didn't work. They painted new lane markings, using two-lanes, plus center turn lane (TWLTL). They omitted bike lanes in the first stage. Some drainage grates needed to be swapped before they added bike lanes. But they also wanted the chance to switch back. The conversion worked, but it was slightly shaky. With the loss of two lanes on the departure side of signalized intersections, traffic now merged into orderly, lower paced movement. Speeds came down to more preferred speed of around 35 mph (down from 40). Yet, some confusion remained. Resulting travel lanes were sixteen feet wide. Second stage markings were made six months later. Bike lanes were added, narrowing travel lanes to twelve feet. Speeds were reduced slightly more, and confusion ended. Today planners and engineers from both city and state report greater safety, efficiency, and more than adequate movement during peak hours. Again, people walking, using transit and bicycling find the area more comfortable and safe. Crash records are being kept. Potential conflicts and speeds are greatly reduced. Property owners are pleased with reduced speeding, noise and challenge of entering and exiting their driveways safely. Bike lanes give them more turning radius and improved sight triangles.

Today East Lansing is in the early stages of converting two to six more roadways. They find that they can make many of these conversions at no cost. They wait for lane markings to fade (easy with winter snow plow scraping), or they make changes with resurfacing projects.

Other Cities, Higher Numbers. East Lansing is not the first community to make these changes. Seattle, Portland and Santa Monica are three communities that have been making these lane

High Volume Conversion in Kirkland



For a short period during area road construction, Kirkland's Lake Washington Boulevard picked up additional load and was successfully carrying 30,000 ADT. This four-lane to three-lane conversion has been very successful. Note how much easier it is for motorists to enter and exit driveway., Added border width provides motorists safer conditions. Caution, this 30,000 figure is real for one portion of this roadway, but may be beyond the comfort range of many. For a more comfortable number 20-23,000 is achievable in most areas.

reductions for years. Seattle made its first conversion (N 45th Street in 1972. Since then they have successfully converted 8 additional roadways. Many of these include commercial sections.

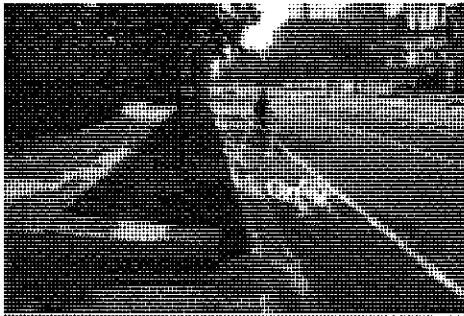
Kirkland, Washington, Pushes Numbers to the Limit. So far, the record for roadway conversion with highest traffic counts is Lake Washington Boulevard in Kirkland, Washington. This largely residential street travels by high priced homes with spectacular views of Lake Washington. When Lake Washington Boulevard was operated with four lanes, capacity problems were reached most evenings. Residents trying to enter or exit driveways on both sides of the road tended to constrain the flow on the 20,000 AADT roadway. Switching to three-lanes on the roadway was easy. The results were impressive not only to drivers, but to pedestrians, transit users and bicyclists as well. Motorists now had substantial added border width to fixed objects. Residents saw reduction in speeding and noise levels, and they could now enter and exit their driveways much more easily.

Kirkland Tests Ceiling with Lake Washington Boulevard. In 1995, Kirkland closed another roadway for reconstruction. They forced totals of 30,000 vehicles (ADT) onto the two + TWLTL roadway. The roadway never crashed. These extremely high numbers continue to astound researchers. What is the upper limit? This 30,000 ADT may be it. In most cases carrying capacity numbers must be lower.

Researchers do not have enough knowledge to say where and how peaks are reached, but many feel comfortable with 20-23,000 ADT's. Each community must set its own upper limits.

Four-Lane to Two-Lane Conversions. More aggressive diets drop four lanes down to two. Fewer roadways can undergo this more aggressive conversion. Roadway conversions in Toronto, Ontario, are proving safety and livability benefits of these changes, while holding to previous capacities. More than six formerly four-lane roadways have been converted to either two-lane roads with medians and turning pockets, or simply two lanes. St. George Street, a principal arterial through the University of Toronto Campus is perhaps the best known. This 16,000 ADT roadway owes its success to low number of driveways. The roadway holds its full capacity at intersections by keeping the previous number of storage lanes. The 1.1 mile roadway project was launched when a local benefactor to the University of Toronto challenged the city to the improvement by putting up her \$1 million in match money. The University contributed \$500,000 (Canadian), and the City of Toronto gave the additional \$2.5 million match for a total rebuild price of \$4 million. The road was totally reconstructed. New foundations, improved intersections, greatly widened sidewalks, bike lanes and full canopy of

St. George Street in Toronto, Ontario



(Right and Above) In 1997 this one-mile section of St. George Street was converted from four lanes to two lanes at a cost of \$4 M Canadian. The roadway carries the same capacity as before. Note capacity is well handled at each intersection. The project began when a benefactor to the University of Toronto pledged \$1M on the condition that the University and City would contribute the balance of \$3million.

trees were placed. Today walking, transit and bicycling are pleasurable activities; speeding has dropped, and the center of campus has come alive with people.

Other Four-Lane to Two-Lane Conversions. Toronto has also converted five other roadways. In each case the same volume of auto traffic is serviced, always at lower, more appropriate speeds. As with four-lane to three-lane conversions, prudent drivers set the speed. Many of these additional roadways operate with 11-17,000 ADT. Some sections are reduced from four lanes to two lanes to incorporate critical pedestrian crossings; then they widened back out 1,000 feet further downstream. Many combinations of road diet techniques are practicable. Seattle, Washington; Portland, Oregon; Santa Monica and Mountain View, California; and dozens of other cities are making similar conversions. These streets are made more business, resident, transit, bicycle and pedestrian friendly by placing medians with turning pockets and bike lanes in the mix.

What is the future? In the past two years the principle author of this article, Walkable Communities Director, Dan Burden, has been to more than 500 cities in North America. Almost every town he visits has at least two or three streets ideal for conversion. In California, alone, more than 20 cities have made successful conversions. Dan's advice, "Elected officials, business leaders and engineers should look for easy conversions first." All but the most self-evident projects are likely to generate concern from business leaders and nearby residents who worry that traffic might back into their neighborhood streets. The public has come to believe that the only way to improve roadways is to widen entire sections. Model projects are needed.

Best Model Projects. First projects should include roadways with some of the following criteria:

- Ö Moderate volumes (8-15,000 ADT)
- Ö Roads with safety issues
- Ö Transit corridors
- Ö Popular or essential bicycle routes/links
- Ö Commercial reinvestment areas
- Ö Economic enterprise zones
- Ö Historic streets
- Ö Scenic roads
- Ö Entertainment districts
- Ö Main streets

The Process of Change. Street conversions are as much process as they are product. Due to the controversial nature of the first road diet conversions, it is essential to involve the public through highly interactive processes. As pointed out earlier in this article with Electric Avenue in Lewistown, Pennsylvania, 95 percent of the citizens were against the change.



Effective process often includes focus groups, and highly interactive workshops and designs. Citizens, residents and business owners should help design both process and product. Many cities are learning to conduct 3-6 day planning charrettes to gain input from a variety of people who then gain ownership of the results. Atlantic Boulevard in downtown Del Ray Beach, Florida, was converted from four-lane to two-lane roadway at the request of retailers. This request was the reverse of previous thinking. Merchants often feel that more traffic passing their doors is better for business. In Del Ray Beach the decaying downtown forced merchants to take another look. Retailers worked with the city manager, elected officials, and chamber of commerce to weigh their risks and suggest changes. The net result of this street conversion is one of the more successful downtowns in Florida, and significant increase in local sales and tax base for the town. Motorists did not leave Atlantic Boulevard to take advantage of two new lanes of travel on parallel streets. They come through the now attractive center, cruising at 15 mph.

Lane Reductions of Select Street Conversions-- Volume Changes				
Roadway Section	Change	ADT (Before) (After)		Notes
1. Lake Washington Blvd., Kirkland, Washington South of 83	4 lanes to 2 + TWLTL + bike lanes	23,000	25,913	
2. Lake Washington Blvd, Kirkland, Washington Near downtown	4 lanes to 2+ TWLTL + bike lanes	11,000	12,610	
3. Electric Avenue, Lewistown, Pennsylvania	4 lanes to 2 + TWLTL + bike lanes	13,000	14,500	
4. Burcham Road, East Lansing, Michigan	4 lanes to 2 + TWLTL + bike lanes	11-14,000	11-14,000	
5. Grand River Boulevard, East Lansing, Michigan	4 lanes to 2 + TWLTL + bike lanes	23,000	23,000	
6. St. George Street, Toronto, Ontario, Canada	4 lanes to 2 + bike lanes + wide sidewalks	15,000	15,000	
7. 120th Avenue, NE Bellevue, Washington	4 lanes to 2 + TWLTL	16,900	16,900	
8. Montana (commercial street) Bellevue, Washington	4 lanes to 2 lanes + TWLTL 4 lanes to 2 + median + bike lanes	18,500	18,500	
9. Main Street Santa Monica, California	4 lanes to 2 lanes + TWLTL 4 lanes to 2 + median + bike lanes	20,000	18,000	

Lane Reductions of Select Street Conversions-- Volume Changes

Roadway Section	Change and Date	ADT (Before)	ADT (After)
9. Danforth Toronto, Ontario, Canada	4 lanes to 2 + bike lanes 4 lanes to 2+ turning pockets+ bike lanes	22,000	22,000
Seattle, Washington			
10. Greenwood Avenue N, from N. 80th St to N 50th	4 lanes to 2, plus TWLTL Plus Bike lanes April, 1995	11,872	11,2427
11. N 45th Street in Wallingford Area Seattle, Washington	4 lanes to 2 lanes plus TWLTL December, 1972	19,421	20,274
12. 8th Ave. NW in Ballard Area Seattle, Washington	4 lanes to 2 lanes plus planted median with turn pockets January, 1994	10,549	11,858
13. Martin Luther King Jr. Way, north of I-90	4 lanes to 2 lanes plus TWLTL, plus bike lanes Jan 1994	12,336	13,161
14. Dexter Avenue, N. East side of Queen Anne Area	4 lanes to 2 lanes plus TWLTL and bike lanes	13,606	14,949
15. 24th Ave. NW, from NW 85th St. to NW 65th St.	4 lanes to 2 lanes plus TWLTL	9,727	9,754
16. Madison St., from 7th Ave. to Broadway	4 lanes to 2 lanes plus TWLTL	16,969	18,075
17. W. Government Way/Gilman Ave. W., from W Ruffner St. to 31st Ave. W.	4 lanes to 2 lanes plus TWLTL plus bike lanes	12,916	14,286

Dan Burden served for sixteen years as state bicycle and pedestrian coordinator for the Florida Department of Transportation. In his new role as the director of Walkable Communities, Inc., Dan has promoted and helped the process for more than a dozen conversions of collector and arterial streets. Dan teaches courses for the Federal Highway Administration, National Highway Institute and the National Highway Traffic Safety Administration. Dan is the author of the Healthy Streets booklet which provides guidelines for building traditional neighborhood development (TND), published by the Local Government Commission, Center for Livable Communities. For more information contact webpage: www.lgc.org/clc/

Peter Lagerwey is the pedestrian/bicycle coordinator for the City of Seattle Engineering Department. Peter has overseen and monitored conversion of four street lane reduction projects. Peter recently spent a full year on assignment as pedestrian/bicycle planner for Perth, Australia. Peter is an instructor for FHWA's Pedestrian Road Show, as well as for a number of state agencies.

Additional Article: See Andrew G. MacBeth, P.E. Calming Arterials in Toronto, paper delivered to the 68th ITE Annual Meeting, August 10, 1998 (Accepted by ITE for 1999 publication in ITE Journal)

Data on Street Conversions - Seattle, Washington

ROADWAY SECTION	DATE CHANGE	ADT (BEFORE)	ADT (AFTER)	CHANGE
Greenwood Ave. N, from N 80th St. to N 50th St.	April 1995	11872	12427	4 lanes to 2 lanes plus TWLTL plus bike lanes
N 45th Street in Wallingford Area	December 1972	19421	20274	4 lanes to 2 lanes plus TWLTL
8th Ave. NW in Ballard Area	January 1994	10549	11858	4 lanes to 2 lanes plus planted median with turn pockets as needed
Martin Luther King Jr. Way, north of I-90	January 1994	12336	13161	4 lanes to 2 lanes plus TWLTL plus bike lanes
Dexter Ave. N, East side of Queen Anne Area	June 1991	13606	14949	4 lanes to 2 lanes plus TWLTL plus bike lanes
24th Ave. NW, from NW 85th St. to NW 65th St.	October 1995	9727	9754	4 lanes to 2 lanes plus TWLTL
Madison St., from 7th Ave. to Broadway	July 1994	16969	18075	4 lanes to 2 lanes plus TWLTL
W Government Way/Gilman Ave. W, from W Ruffner St. to 31st Ave. W	June 1991	12916	14286	4 lanes to 2 lanes plus TWLTL plus bike lanes
12th Ave., from Yesler Way to John St.	March 1995	11751	12557	4 lanes to 2 lanes plus TWLTL plus bike lanes

			CAR & CAR			Sub total	S			TO TAL	% CHA-NGE	FATAL			TO TAL	INJURIES			TO TAL	% CHAN-GE
			I	M-B			I	M-B				I	M-B			I	M-B			
1	Greenwood Ave N & N 80 Street	BEFORE	19	5	24	0	0	0	0	24	-58.3	0	0	0	10	5	15	-20.0		
		AFTER	5	4	9	0	1	1	0	0		10	0	0	0	6	6		12	
2	N 45 Street & Wallingford Av N	BEFORE	6	37	43	0	0	0	1	1	2	45	0	1	1	2	5	7	+14.3	
		AFTER	11	12	23	0	0	0	0	0	0	23	0	0	0	3	5	8		
3	8 Ave NW & NW 65 Street	BEFORE	8	7	15	2	0	2	0	1	1	18	0	0	0	6	2	8	-37.5	
		AFTER	5	1	6	0	0	0	1	0	1	7	0	0	0	4	1	5		
4	ML King Jr Wy & Yesler Way	BEFORE	8	7	15	0	0	0	0	0	0	15	0	0	0	4	6	10	-80.0	
		AFTER	4	2	6	0	0	0	0	0	0	6	0	0	0	2	0	2		
5	Dexter Ave N & Roy Street	BEFORE	12	4	16	1	0	1	2	0	2	19	0	1	1	6	1	7	+114.3	
		AFTER	9	7	16	0	0	0	0	0	0	16	0	0	0	6	9	15		
6	24 Ave NW & NW 80 Street	BEFORE	11	3	14	0	0	0	0	0	0	14	0	0	0	9	1	10	+60.0	
		AFTER	5	4	9	0	0	0	1	0	1	10	0	0	0	10	6	16		
7	Madison Street & Boren Avenue	BEFORE	12	15	27	0	0	0	0	1	1	28	0	0	0	9	7	16	-37.5	
		AFTER	9	18	27	0	0	0	1	0	1	28	0	0	0	5	5	10		
8	Gilman Ave W & W Emerson Pl	BEFORE	5	1	6	0	0	0	0	0	0	6	0	0	0	0	2	2	-100.0	
		AFTER	3	3	6	0	0	0	0	0	0	6	0	0	0	0	0	0		
9	12 Avenue & Cherry Street	BEFORE	5	8	13	1	0	1	2	0	2	16	0	0	0	5	1	6	+16.7	
		AFTER	4	11	15	1	0	1	0	0	0	16	0	0	0	3	4	7		
	TOTAL	BEFORE	86	87	173	4	0	4	5	3	8	185	0	2	2	51	30	81	-7.4	
		AFTER	55	62	117	1	1	2	3	0	3	122	0	0	0	39	36	75		

*LEGEND: I = Intersection
M-B = Mid-Block

Additional Road Diets Experiences

Santa Barbara

Over a decade ago, the City of Santa Barbara created bike lanes on two parallel one-way streets by removing one of the two existing traffic lanes. The City's original proposal was to remove parking from one side to keep two traffic lanes plus put in a bike lane. But since the streets are mostly residential, the people pressured the City to keep parking and lose a traffic lane instead. Just about everybody thinks that it's a good solution.

In the next two months, another street will change from 4 traffic lanes to three (middle turn lane) plus bike lanes on both sides.

Ralph Fertig

Santa Barbara Bicycle Coalition

www.sbbike.org

Palo Alto

Palo Alto did so on two streets (University Ave. & East Meadow Drive) in 1974 as part of its overall bikeways plan. Since then Mountain View has done so on at least two streets, and just recently Sunnyvale has approved doing so on part of Mathilda.

Ellen Fletcher

Sacramento

In Sacramento, on Auburn Boulevard, the city installed a bike lane by taking out on-street parking. After a few months of this, the businesses howled. The City Council decided that the viability of the businesses were more important, so they took the bike lane back out and put the parking back in.

This didn't happen that easily, though, since I put the question to the traffic engineers about taking the travel lane space and give it to bikeway space. We were lucky this time, since there were two travel lanes one direction and one travel lane going the other. When we challenged the staff to find out if they could shift the center line over so that it was one travel lane in each direction, they answered that, yes, indeed this was a possibility. So they did it, and we got our bike lanes back and the businesses had their parking! My only complaint was the time it took to get the final product. It took them less than a week to re-establish the on street parking, and over a year to re-adjust the lane striping. So, in a round-about way, we did get a travel lane removed for the installation of a bike lane. But it was with a lot of luck that this happened. It isn't that common to find a spare travel lane that has a low enough ADT to let the traffic engineers feel like giving it over to the bicycles. This incident is unusual for Sacramento, so I wouldn't necessarily consider it to be the result of progressive thinking--they still need some help in that department.

Ed Cox

edcox@jps.net

Santa Cruz

Santa Cruz has proposed reducing Soquel Avenue from 4 lanes to 3 (two plus turn lane) in order to install bike lanes, but has not yet done so.

Cambridge

A portion of Massachusetts Avenue, the main drag of Cambridge, MA (also a state numbered route) was redesigned, going from 4 lanes to 3, allowing not only bicycle lanes but also wider sidewalks and maintaining parking. ADT is approx. 21,000. There are a couple of turning lanes. The project was completed about a year ago.

Cara Seiderman

City of Cambridge, MA

Mountain View and Sunnyvale

1) A few years ago Mountain View, CA restriped the section of Dana Street from Calderon to Pioneer (across Highway 85, the Stevens Creek Freeway), from 2 lanes each direction to 1 lane + bike lane in each direction, adding a planted median. Contact rene.dalton@ci.mtnview.ca.us, their BAC staffer, for details.

2) Mountain View also restriped Cuesta (Drive?) west of Miramonte from 4 lanes down to 3 (i.e. center turn) with bike lanes. This was done during a sewer line upgrade that required tearing up that whole stretch anyway. That end of Cuesta abuts neighboring Los Altos, which never did 4-lane their collector streets back when Silicon Valley was rapidly building out its street network; I believe that stretch of Cuesta didn't really need 4-lane capacity anyway.

3) Sunnyvale, CA just decided to restripe Mary Avenue between Fremont Avenue and Homestead Road to add bike lanes. I don't know the details on before and after lane counts on that stretch, but believe it's currently 2 lanes with on-street parking and a center 2-way left turn lane. Contact pubworks@ci.sunnyvale.ca.us or BAC staffer Jack Witthaus <jwitthaus@ci.sunnyvale.ca.us>.

*John.Ciccarelli@stanford.edu, Bicycle Program Manager
711 Serra Street, Stanford, California USA 94305-7240
voice 650-725-BIKE, fax 650-723-0790
<http://www-facilities.stanford.edu/transportation>*

Greenbelt, MD

Glad you asked. The City of Greenbelt, MD eliminated two traffic lanes on Ivy Lane and Cherrywood Lane to make room for bicycle lanes to the new Greenbelt Metro Station. The objectives were to (1) improve bicycle access to the Metro Station (2) to calm traffic (3) to improve aesthetics and (4) to provide a median area for pedestrians crossing the road. We are very happy with the results. Eventually, we plan to landscape the median. The plans caused a tremendous uproar in 1996. The City received letters and complaints from the County Executive, the Governor and our Congressman. They called Cherrywood Lane crucial to development plans near the Greenbelt Metro Station.

The configuration was 12'-12'-12'-12'-12' narrowing to 12'-12' 12'-12' at an overpass. The configuration today is 8'-6'-11'-18'median-11'-6' narrowing to 6'-11'-14'median-11'-6' at the overpass. The 8' lane is a parking lane. The 6' lanes are marked and signed as bike lanes.

Greenbelt has a 60 year tradition of innovative planning and of making bicycle and pedestrian access a priority. Our City Council loves to talk about Greenbelt's bike lanes.

*Bill Clarke
Chairman, Greenbelt Bicycle Coalition*

Austin, TX

To date we have removed travel lanes from two streets to make bike lanes. These streets were operating below capacity as striped and we could demonstrate that the level of service would be acceptable after the changes. There has been serious opposition to one near a federal IRS/Treasury/Veteran's complex. The administrators were convinced that the roadway with bike lanes would make their lives miserable due to increased congestion. They continue to pressure the department and City Council so the final outcome is uncertain at this time.

We are considering several other streets to remove travel lanes in favor of bike lanes, but it will take some time to go through the political process to get this done.

*Keith Snodgrass
Bicycle and Pedestrian Program Coordinator
Department of Public Works and Transportation
PO Box 1088
Austin, Texas 78767
512 499-7240 fax 512 499-7101
<http://www.ci.austin.tx.us/bicycle/>*

Road Diets by Dan Burden and Peter Lagerwey

Ottawa

We have a project in Ottawa where a bridge is being reconstructed. The original cross-section included two HOV (buses only) lanes and four car lanes (2 in each direction). The new cross-section includes two HOV (buses only) in the outside lanes, then two car lanes and two bicycle lanes (one in each direction). A median was also added. In essence, two car lanes were given over to bicycle lanes and a median. The bridge opens this spring - we can hardly wait!

Daphne Hope
Alternative Transportation Planner

Denver

In Denver, we are removing 2 lanes of traffic on a collector street for approximately 2000' alongside a city golf course so that we can build a 12' wide bikeway/multi use trail alongside the golf course frontage. The lanes on the street were very narrow (10' wide I think) and the center turn lane served little purpose. The bike route that we will sign runs the full width of the city - this was the major missing link. The process to do this was NOT FUN.

James MacKay

Boulder

Last year, after significant public process, the City of Boulder also removed a traffic lane to add a bike climbing lane on Table Mesa Drive. The roadway was built in a era of different development expectations, and traffic counts indicated that this could easily be done. However there was still significant public concern, which was in part addressed by first doing a trial run where we blocked the lane with barricades for three weeks and collected data, and then by selecting a non-structural project design where the changes were made by paint rather than moving the curb face. This addition links several significant bike facilities and is working great.

Randall Rutsch
Transportation Planner
City of Boulder, CO

Salem, OR

The city of Salem, Oregon reconfigured 4 lanes to two lanes plus center turn lane and bike lanes on 17th Street and possible others.

Michael Moule
Oregon Department of Transportation
Bend, Oregon
(541) 388-6216
michael.m.moule@state.or.us
<http://www.odot.state.or.us/techserv/bikewalk/index.htm>

Portland & Corvallis

The cities of Corvallis and Portland removed a travel lane from one-way couplets that had 4 lanes in each direction (they now have 3). On top of bike lanes, motorists benefit from the reduced need to weave (getting from one side to the other in anticipation of having to turn left or right), and pedestrians benefit from easier crossing (Portland reduced pavement width and widened sidewalks and built curb extensions at sidewalks). ODOT bicycle and pedestrian program was instrumental in preventing a couplet project from going to four lanes in one direction, and keeping at 3 (Albany). So it's not uncommon. Seattle does it for traffic-calming.

Michael Ronkin
Bicycle and Pedestrian Program Manager
Oregon Department of Transportation
michael.p.ronkin@odot.state.or.us
(503) 986-3555

Hamilton, Canada

Just to add a Canadian perspective: The City of Hamilton, Ontario converted Stone Church Road from 4 lanes to 3 lanes (center left turn lane) with bicycles being accommodated in wide curb lanes. A similar conversion will take place this spring on Lawrence Road, this time using painted bicycle lanes. We also converted 2 major five-lane streets to 4-lane with wide curb lanes in 1994, but Regional Council directed conversion back to the original configuration about six months into the trial.

Hart Solomon

Manager of Traffic Engineering and Operations

City of Hamilton, Ontario

London, UK

I think it has been done here in London, England. For example, the London Borough of Ealing, has, I believe, removed some car lanes on the Uxbridge Road, the A4020, that heads west out of London, adding bike lanes instead. The current cry by bike activists here in England is 'reallocating road space' How much it is actually being done, though, I do not know. Bike lanes are somewhat new here in England, and all the fiascos of a quarter a century ago in the USA seem to be being repeated here

JeremyParker@compuserve.com

London, England

Toronto

In Toronto, we have removed traffic lanes on approximately 18 km (12 miles) of downtown streets (eight different streets) to provide bike lanes. These routes represent about two thirds of our existing bike lanes.

Typical downtown arterial widths are 12.8 to 14.0 meters wide and striped as four lane two way roads with both curb lanes accommodating parking in the off-peak hours. During peak hours parking is generally prohibited on both sides so the roads operate as four lane roads.

To incorporate bike lanes on a road 12.8 meters (42 feet) wide we permit 24-hour parking on one side (2.0 meters wide), provide a bike lane (2.0 meters) next to parking, two general traffic lanes (3.5 meters) and a bike lane next to the curb (1.8 meters). Left turn lanes are provided at signalized intersections to maintain capacity. The length of the left turn slot is determined by the left turn demand, with a typical length being 15 meters. Curbside parking stops in advance of the intersection to accommodate the additional lane required for left turns and to make the transition between a bike lane adjacent to parking and a bike lane next to the curb. It is a fine balance because the longer the left turn slot the less parking we can provide. Parking is definitely the most politically sensitive issue when implementing bike lanes.

To incorporate a bike lane on a road 14.0 meters (46 feet) wide we permit 24-hour parking on both sides (2.0 meters wide), provide two bike lanes (1.8 meters) next to parking and two general traffic lanes (3.2 meters). Again, left turn lanes are provided at signalized intersections to maintain capacity.

Based on our experience in the past few years we have concluded that the two above designs can work well on roads with up to approx. 18,000 vehicles per day.

We have also provided bike lanes through three railway underpasses by, in each case, eliminating two general traffic lanes (from four to two lanes -one in each direction) in order to provide two bike lanes. One of these carried 22,000 vehicles per day.

On another 1.6 km stretch of roadway (55,000 vehicles per day) we reduced six general traffic lanes to five lanes to accommodate two bike lanes over a bridge connecting east end neighborhoods to the Central Area. Bicycle volumes on this route increased to approximately 3,000 bicycles per summer weekday; weekday average throughout the year is 1,800 bicycles per day). In another case we reduced a six lane road with 30,000 vehicles per day to four general traffic lanes (five at signalized intersections) to accommodate bicycle lanes in each direction.

Greater Vancouver's experience:

"In the Greater Vancouver Region, two municipalities have removed a traffic lane for bikes. The City of Surrey along their East Whalley Ring Road and the City of Richmond along Williams Road. In both instances, four lanes of traffic (two in each direction) were reduced to three lanes to provide bike lanes. The third middle lane functions as a left turn lane for both directions of traffic. I can give contacts if anyone wants more details.

Doug Louie, P.Eng.

City of Vancouver."

NEW URBAN NEWS

VOLUME 16 • NUMBER 3

APRIL • MAY 2011

Potential TOD sites in Jersey may be unavailable for decades

Smart growth proponents are fighting a state transit agency plan that would lease out dozens of parking facilities to private operators for 30 to 50 years.

PHILIP LANGDON

As governments fall into deep financial difficulty, public agencies increasingly are leasing out or selling off properties — mostly to collect revenue that can quickly bolster their ailing budgets.

In New Jersey, however, a proposal to lease out parking facilities at train and bus stations is encountering strong opposition from people who fear it would make many of those lots unavailable for transit-oriented development (TOD) for 30 to 50 years.

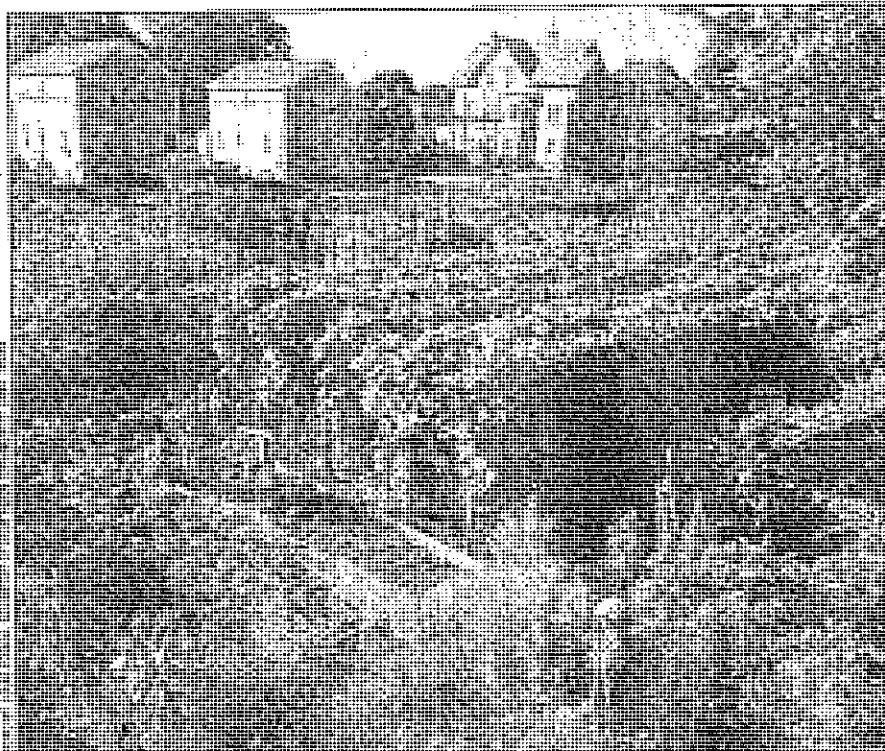
Last fall, New Jersey Transit, the nation's third-largest provider of bus, rail, and light-rail transportation, announced that it would explore the possibility of leasing parking facilities at 81 of its busiest stations to private operators.

As many as 37,165 parking spaces across the state could be put into private hands. NJ Transit Executive Director James Weinstein suggested that the deal could reap \$100 million or more for the agency in 2011, plus additional payments in future years.

NJ Transit, which provides service to 5,325 of the state's 8,722 square miles, issued a request for qualifications in October. Of the ten companies that expressed interest

CONTINUED ON PAGE 7

A highly productive community garden in an old Providence, Rhode Island, neighborhood. A story on page 4 covers New England urbanists' creative ideas of how to use urban space in austere times.



'Cycle tracks' in cities could save bicyclists lives

Public health researcher Anne Lusk argues that installing bike routes separate from motor vehicles will boost cycling and make compact communities work better.

Dr. Anne Lusk wants everyone to learn a new term: "cycle track." And not just learn it — apply it to the planning and development of cities everywhere.

A forceful advocate of bicycling, Lusk commanded the spotlight at CNU-New England's annual conference in March when she received the chapter's first Achievement Award and repeatedly pressed conferees to make biking an integral part of community design.

New Urbanism's usual focus — the making of walkable communities — will not be enough to reverse America's obesity epidemic, says Lusk, a research associate at Harvard University's School

CONTINUED ON PAGES

INSIDE

Gentrification again, PAGE 2

Choice neighborhoods, PAGE 3

New England urbanists look for silver lining, PAGES 4-5

Bikeway design guide, PAGE 7

Light rail produces burst of development, PAGES 9-10

Pocket Neighborhoods, PAGES 10-12

MD smart growth less costly, holds value, PAGE 12

Transit beats green buildings, PAGES 12-13

New Urban Update, PAGES 13-17, 20

CNU Update, PAGES 18-19

said, noting that the artist have already prepared their own community gardens, and a resident farmer is slated to tend the larger farm. "The artists have already started building their chicken coops," he said. "The interest in community agriculture among the artist group has grown beyond our expectations."

A series of speakers assembled by New Haven architect Robert Orr described the potential for community gardens and other small-scale forms of food production, which can fit into a neighborhood or an underused section of a city. "I discovered there were all sorts of initiatives under way in New Haven," Orr said.

New Urbanism and urban agriculture fit together well, contends New Haven architect Ben Northrup. "Both movements have an underlying humanism" and "a human scale," he said. Both, he said, "are critical of patterns since World War II," such as economic consolidation and monocultures — whether the monoculture consists of single-product farms or single-use subdivisions. Tools relied upon by new urbanists, such as charrettes, "could be useful to agriculturalists," Northrup said.

"Acceptance of limits" is common to both New Urbanism and urban agriculture, Northrup said. "Some of the new austerity we're experiencing could be good for us in many ways."

Katherine Brown of the Southside Community Land Trust in Providence argued for the importance of "achieving community food security at the neighborhood level," and said edible landscaping, such as fruit trees and blueberry bushes, can serve as alternatives to fences. Benjamin Gardner, who is working at making locally grown food more widely available in New Haven, said that having many food-producing operations in a city helps to make them more successful. "Density makes it more efficient to manage them," he reported.

Stevens emphasized the side-benefits that come from nurturing local efforts and local talent. "The community will get pride out of it," he said. "You'll start to build community."

OLD EXPECTATIONS ARE OBSOLETE

Brian O'Looney of Torti Gallas and Partners, an architecture and planning firm in Silver Spring, Maryland, presented the Southlake Town Center in Texas — a large, mixed-use suburban project that has won praise in new urbanist circles. "These are going to be harder to do going forward," O'Looney said of Southlake and other built-from-scratch town centers.

Developers have less access to capital than they did in the past, he pointed out. In addition, federal and state funds are shrinking, he said. If these large projects are to be carried out, "you'll have to find other ways of getting these deals done," he advised.

If there is less money available today, there is also less tolerance of waste, a number of conference participants emphasized. Norman Garrick, a transportation specialist at the University of Connecticut, reminded people of the wastefulness that Le Corbusier, the leading proponent of modern, had propagated with his advocacy of expressways and an auto-oriented way of living in the 1920s and 1930s.

"I shall live 30 miles from my office in one direction, under a pine tree; my secretary will live 30 miles away from it too, in the other direction, under another pine tree," Le Corbusier proclaimed in 1935. In Le Corbusier's view, a dispersed pattern of residence and commuting represented progress: "We shall use up tires, wear out road surfaces and gears, consume oil and gasoline."

Has Corb's view been abandoned? Not entirely, but it is

certainly under intellectual attack, and at a mass level there seems to be a growing retreat from it. In the US, "traffic has not been increasing for the last six or seven years," Garrick pointed out. "It began slowing before the recession." Lucy Gibson of Smart Mobility consultants in Norwich, Vermont, noted that young people are doing less driving these days and are resisting buying cars. "The five-year forecast is negative for traffic in the US," she said. (Transportation departments are reluctant to accept and act on a negative forecast, however.)

The changing attitude toward transportation is one of the factors that make many new urbanists believe that overall trends are moving in the right direction. "I've never been more of an optimist than at this very moment," said George Proakis, planning director for Somerville, Massachusetts, a dense, older community scheduled to get six new transit stations by 2015.

"We have this unbelievable ability to overcome these challenges," Proakis said. "We're moving away from [sprawl] in many different ways." ♦

Cycle tracks

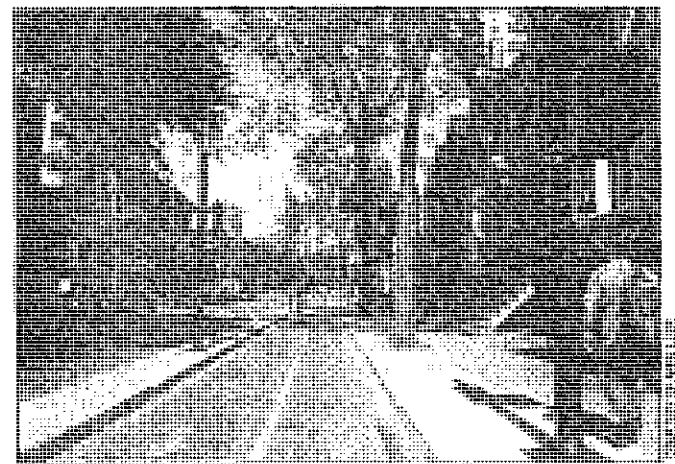
FROM PAGE 1

of Public Health who holds a PhD in architecture, environment, and behavior from the University of Michigan. Biking, she argues, is much more effective than walking when it comes to controlling weight, improving people's health, and making transit-oriented development function well.

In her eight years at Harvard, Lusk has concentrated on getting planners, transportation specialists, and others to view biking as a routine, indeed almost essential, element of daily life — the way it is already seen in Denmark and the Netherlands. She pursues this quest by generating high-quality research on biking, health, and communities and through outspoken advocacy.

Bicycle-commuting has been on the upswing in recent years in cities that have made it a priority — among them, Portland, Oregon; Boulder, Colorado; and Davis, California. According to a 2009 American Community Survey, 5.8 percent of Portlanders bike to work, as compared to the 1.7 percent who did so in 1996, when Portland first adopted a plan to get more people onto bikes.

A two-way cycle track in Montreal



The biggest thing preventing biking becoming much more widespread, Lusk says, is fear. A large proportion of Americans are afraid of being hit by a motor vehicle if they ride a vulnerable bike on the streets and roads. That's especially true of women. Only 24 percent of Americans who bike to work are women.

The danger is not imaginary. "The injury rate of bicyclists is at least 26 times greater than in the Netherlands," Lusk and five co-authors wrote in a risk assessment this February in the journal *Injury Prevention*.

One of the reasons biking is so much safer in the Netherlands and Denmark is that the principal bicycle facilities in those two countries are cycle tracks — bike paths physically separated from motor vehicle traffic. Cycle tracks run parallel to the sidewalk, and are exclusively for bike riding. The 18,000 miles of cycle tracks in the Netherlands help to explain why 27 percent of Dutch trips are made on bicycles. (In that country, 55 percent of bike trips are made by women.)

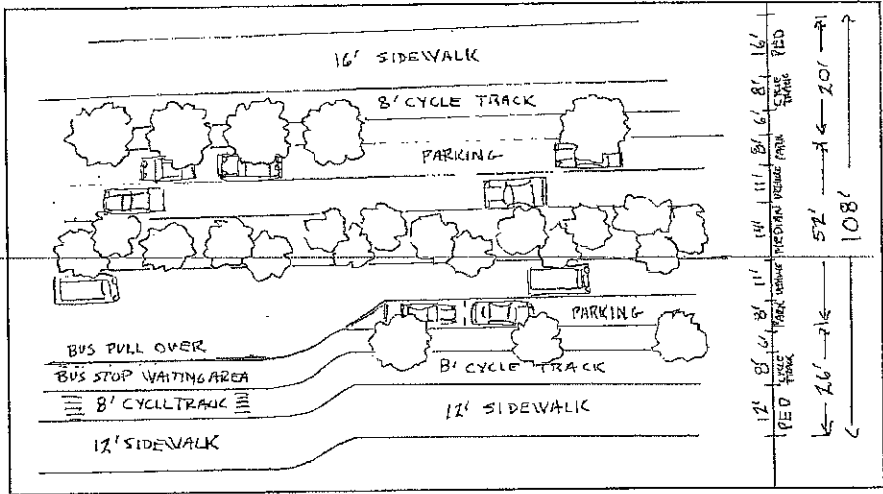
Cycle tracks are common in Montreal. In most places in the US, however, they're rare or nonexistent. To a large extent, Lusk and her co-authors blame resistance to cycle tracks on the *Guide for the Development of Bicycle Facilities* — a publication of the American Association of State Highway and Transportation Officials (AASHTO) that advises against building two-way bike paths along, but separated from, a parallel road.

"AASHTO states that sidewalk bike-ways are unsafe and implies the same about shared-use paths parallel to roads, listing numerous safety concerns and permitting their use only in special situations," the article in *Injury Prevention* notes. Cycle tracks, which can be either one-way or two-way and which resemble shared-use paths, are not mentioned in the AASHTO bike guide, but the overall effect is to discourage them.

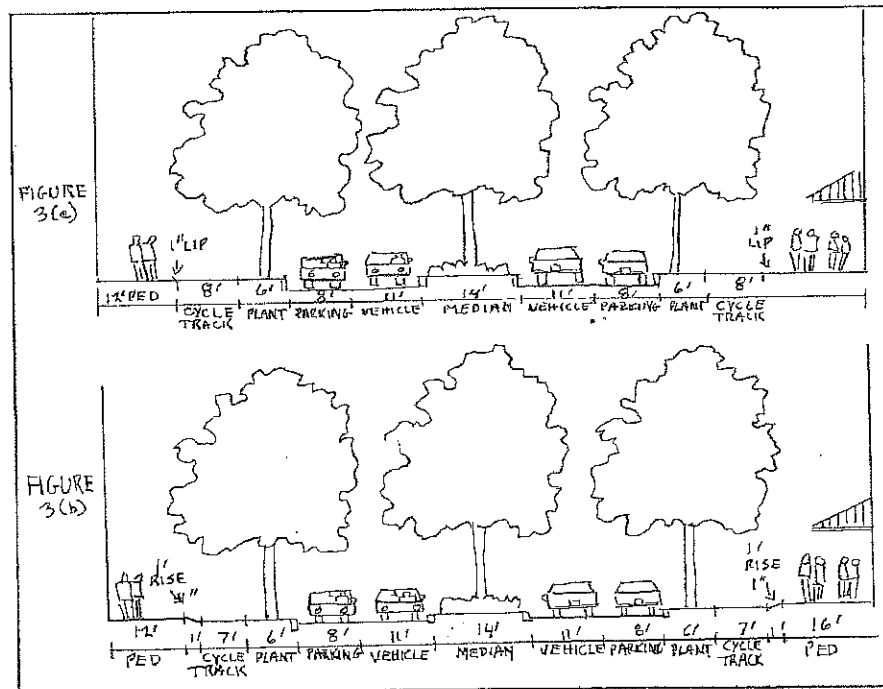
The prevailing official view in the US is that bicyclists belong in the streets and should be treated the same as operators of motor vehicles even though the cyclist is no match for a 3,000-pound car. Lusk believes biking will remain at a big disadvantage until the view of where bikes should be permitted is altered.

WHAT MONTREAL SHOWS

Since American authorities have dismissed the Dutch experience as inapplicable to the US, the research team studied



A cycle track plan and section on Western Avenue in the Allston/Brighton area of Boston



cycle tracks closer to home — a half-dozen of them in Montreal, a city that has had a network of cycle tracks for more than 20 years. The analysis compared the six cycle tracks — all of them two-way routes on one side of the street — to conventional streets nearby. Raised medians, parking lanes, or posts separate the Montreal cycle tracks from the street.

The comparisons showed:

- The risk of injury was 28 percent lower on the cycle tracks than on the streets. Dutch experience suggests that cycle tracks are safer yet when they are one-way.
- Overall, 2.5 times as many cyclists rode on cycle tracks as on streets lacking separated bike lanes.

Lusk recommends cycle tracks about eight feet wide and separated from the sidewalk, to prevent collisions with pedestrians. In some cases, a curb separates the cycle track from the sidewalk. A wide cycle track has the advantage of providing enough space for a parent to ride next to a child.

Cycle tracks currently exist in cities such as Portland, Boulder, New York City, and Cambridge, Massachusetts. She has recently been advocating cycle tracks in Boston and Cambridge.

"It's better to have the track near the sidewalk," partly to reduce the cyclists' exposure to pollutants in vehicle exhaust, Lusk says. By contrast, she says, a bicycle lane on the street, next to moving vehicles,

produces more of "a highway look." "I think news urbanists could do wonderful things with cycle tracks," she says.

UPGRADING THE RESEARCH

At the CNU conference in New Haven, Lusk came across as a dynamo. That perhaps shouldn't be a surprise, since she's a woman who once pedaled from Boston to Washington, about 600 miles, meeting reporters each day as she promoted the East Coast Greenway. Her immersion into bike-related issues came in the early 1980s in Stowe, Vermont, where she lived while teaching fashion at the University of Vermont.

Stowe needed a feasibility study for a local bike path, and she worked on it. "So I became a professional lecturer, keynote, and consultant on how to build bike facilities," she says. Ultimately, Lusk concluded that the battle for bike facilities and other health-sustaining public improvements would not be won until research studies were carried out by respected scientific methods.

She went to Michigan for her PhD (with a minor in urban planning), became affiliated with Harvard, and has tried to bring academic rigor to studies linking exercise, health, and elements of the built environment. She also teaches a bicycle environments and public health class at Harvard University Extension School.

Why bicycles? Because "the bicycle is the best rig we have for public health and climate concern," Lusk says. "With a bicycle, you can travel farther and carry more goods than you can walking. The bike replaces the car. Walking doesn't always replace the car."

Transit-oriented development would function better if there were cycle tracks, enabling people to bike some distance to the station and to the stores or other facilities there, she says. "If you have this wider transportation shed, you can better support the stores in the TOD. We don't want people riding in their car to the station."

In Celebration, Florida, the town center's stores "can survive only because there are enough tourists," she observes. With cycle tracks, the stores could attract residents from a considerable radius, she suggests. The same would apply to many town centers.

As for walking: It doesn't deliver as much health benefit as people think. With Harvard Public Health's Dr. Walter Wil-

lett and others, Lusk carried out a study of over 18,000 women, finding that only 39 percent of them walked at a pace brisk enough to ward off weight gain. Women tend to walk more slowly than men, and "it's not comfortable to walk briskly if you're overweight," Lusk says.

"In contrast, both lean and overweight women who bicycled did so for approximately the same amount of time," she points out. Bicycling raises a person's metabolic level much more consistently, which is good for control-

ling weight and for overall health.

Research in the Netherlands, she says, has shown bicycling to be "strongly associated with the emotion of joy in comparison to riding in a car or taking mass transit." One reason for this joy, she says, may be that people can bicycle side-by-side, talking as they ride; building the cycle track wide enough to allow side-by-side travel would increase the likelihood that people will use it. Suggests Lusk: "The bicyclists may then also feel joy." ♦

Urban Bikeway Design Guide

The National Association of City Transportation Officials (NACTO), a coalition of 15 major US cities, has released the Urban Bikeway Design Guide, with the aim of providing state-of-the-practice solutions that cities can use to create "complete streets" that are safe and enjoyable for cyclists.

The Guide, as described in *The Urban Transportation Monitor*, offers three levels of guidance — "required," "recommended," and "optional" — for treatments for bike lanes, cycle tracks, intersections, signals, and signs and markings. The Guide's website says

most of the treatments are not directly referred to in the current versions of the AASHTO *Guide to Bikeway Facilities* or the *Manual on Uniform Traffic Control Devices* (MUTCD). However, the Federal Highway Administration recently posted information about the approval status of various bike-related treatments not included in the MUTCD.

The member cities of NACTO are Atlanta, Baltimore, Boston, Chicago, Detroit, Houston, Los Angeles, Minneapolis, New York, Philadelphia, Phoenix, Portland, San Francisco, Seattle, and Washington, DC.

TOD sites

FROM PAGE 1

in running the parking lots and garages, seven have met the conditions to pursue a deal. This summer the transit agency expects to take the next major step: issuing a formal request for proposals. If all goes smoothly, a contract could be awarded this fall.

New Jersey is not the only state in which parking facilities may be turned over to private interests by transit agencies. In Boston, the Massachusetts Bay Transportation Authority is "considering a plan to sell long-term parking revenue to investors in exchange for a lump sum of as much as \$325 million," *The Boston Globe* reported in January.

The New Jersey proposal has proven more contentious than the one in Massachusetts, partly because New Jersey Future — a think tank on land-use issues — sees long-term leasing as an obstacle to development of housing, stores, restaurants, offices, and other uses on many of the sites. "The big issue

for us is what impact this would have on transit-oriented development," said Jay Corbalis, policy analyst for New Jersey Future.

The problem, in Corbalis's view, is that if the properties come under the control of a company whose expertise and interest are in operating parking facilities, it may be hard to coax the company into later converting the sites into an entirely different form of development, such as housing and retail.

The bidder's chief interest is likely to consist in keeping the facilities as parking, smart growth proponents say. All of the bidders are investors teamed up with parking management firms, Corbalis said. "None of them are developers." They would be unlikely to tolerate the financial and physical disruption of constructing buildings on those sites. "That's not the game they're in," Corbalis said. Thus, it's possible that TOD on those properties would be postponed for decades.

That line of reasoning is disputed by Vivian Baker, NJ Transit's assistant

PUBLIC PROCESS / COMMENT

MEETING MEMORANDUM

Date: May 13, 2011
Project: **Madison St. Streetscape**
Date of Meeting: May 11, 2011
Time: 7:30 to 9:30 p.m.
Place: Julian Middle School, 49 Lake Street, Oak Park, IL

Subject: **Madison St. Concepts**

PRESENT: Altamanu Inc.
John MacManus, Altamanu Inc
Josephine Bellalta, Altamanu Inc
Sean McKay, Altamanu Inc

Sam Schwartz
Mark de la Vergne

Christopher Burke
Mike Kerr
Christopher Burke

PURPOSE: Examine and review existing site conditions and conceptual designs

The following minutes are submitted as representative of the items of information exchanged, actions agreed upon, and discussions that took place. If no exceptions are received within five (5) days of issuance of the Minutes, then it shall be deemed all are in agreement with the general contents of these Minutes.

Minutes of Meeting

Introductions

John MacManus gave a presentation that covered the following:

- Introduction to the project team
- Trustee Comments
- Business Association Comments
- History of Madison St

- Existing Conditions
- Overview of Master Plan
- Review of previous concepts developed in conjunction with steering committee
- Road diet precedents
- Overview of two proposed concepts

After Mr. MacManus' presentation the meeting was opened up to public comment:

Bike Lanes

- I don't want to breathe in exhaust when riding my bike. A scheme that keeps bikes off the roadway would be preferred
- I would prefer to be in the street on a bike, more visible to cars. There could be a snow removal issue with a cycle track in the winter and a lot of people still bike in the winter
- I cycle down Washington and Jackson. I think it is short sighted to eliminate driving just for cyclists
- Good point that a cycle track could lead to more accidents than a bike lane but it also significantly increases the number of cyclists.
- I think this is a good plan but do we really need a bike lane? It is easy to bike in Oak Park anyway
- A plan like this makes biking festive, celebrated, and more inviting

Parking

- What will happen to parking in these two schemes? We can't handle losing any on Madison St.
- Could there be enough parking if municipal lots were incorporated along the street?
- Forest Park has a parking problem due because of the popularity of Madison St. This would need to be addressed in these plans as well.
- Could we have diagonal parking in lieu of bike paths

Safety

- Terrified of kids crossing Madison St. to get to school at Brooks. Pedestrian crashes are high in the Chicago area compared to the rest of the country and like that these concepts are more inviting to pedestrians
- Don't like letting my kids walk down Madison St. It is unsafe right now. Reputation as "heroin highway". This plan could change that.
- I am very encouraged by all the safety comments tonight and considerations in the concepts. It may be desirable to have consistency between Forest Park and Oak Park. The Harlem to Oak Park section might be transition zone between Forest Park and what is happening at Village Hall
- Real concern about pedestrian safety. There is a steady stream of kids crossing Madison. Need to be conscious of way kids cross. Advocate of bump outs.
- This is synergistic with Oak Park Sustainability Plan.

General

- I like how green the concepts are
- This would be a welcome change to Madison St
- I have lived in Oak Park my whole life. Reason was because it was a walkable environment. Madison St. is not. It is out of character with the rest of Oak Park and this plan would help to fix that. I support scenario A. Oak Park is not about cars. Oak Park is an alternative to living downtown
- I like the aesthetic improvements but need more info and data. Can't choose between the two

concepts.

- I like the streetscape on Madison St. in Forest Park. The buildings were also facelifted there. The buildings on Madison in Oak Park need to clean up their acts. Lots of ugly buildings
- How can we do something nice that is less expensive? Need to consider the longterm maintenance cost.
- Concepts grab those details that create synergy and a vibrant street
- Where is funding coming from?
- There is a Madison St. TIF but it is a limited pool of funds and a limited time frame. Need a discussion for relative tradeoffs and other sources of funding and need to look into phasing.

Road Diet

- I would like to see some numbers. How are travel times going to be affected? Lots of people are driving along Madison in Oak Park
- Lots of research showing road diets will slow traffic a bit which is good for business.
- With more businesses come more truck deliveries. What happens with truck deliveries with a road diet?
- With one lane a bus would completely stop traffic
- I am a business man. I would never drive down Madison St. in its current condition and park on the opposite side of the street of the business I am trying to go to. I would be able to do this in these concepts. But we really need to develop businesses by having people walk and bike to them.
- I own apartment building on Kenilworth and Madison. It is hard to rent units because of all the traffic noise along Madison.
- I would like to see why we NEED 4 lanes on Madison St. There is a lot of traffic at very specific times of the day but usually there isn't much.
- Both alternatives both assumed road diet. Need more analysis of tradeoffs to get to that point. I hope more thorough analysis and broader range of options are presented.
- Taking away the only 4 lane in Oak Park is short sighted

A second community meeting is scheduled for June 1st, once again at Julian Middle School at 7:30pm.

END OF MINUTES

Madison Street Streetscape Harlem Ave to Austin Ave Concept Plans
Public Meeting June, 1, 2011

Public Comments

Comment # 1:

Once plans have been landed (based on comments/feedback), what is the anticipated timing of this project? How long to complete project? What is the source of the funding? Will you put the conceptual plans online?

Name: Danielle Smith
Address: 426 South Harvey Ave
Oak Park, IL 60302
Phone Number: (630) 825-8683
Email: danyellz@yahoo.com
Representing:

Comment # 2:

Please build in a vehicle drop off outside the 218 Madison Park District Gym Center. It would be safer for the children!

Name: G.Who.

Comment # 3:

The Athlete's Foot that is on Madison and Austin went out of business. It is now "Diana Shoes." Please correct on future drawings. Thank you!

Name: Robert Kim
Address: 4 West Madison Street
Phone Number: (708) 948-7410
Email: dreamtown.robert@gmail.com
Representing: Diana Shoes

Comment # 4:

1. Surprised and encouraged by eliminating medians. 2. Love the idea of color-coded bikes lanes, use blue! 3. Worried a little about street side trees obscuring the best architecture (old car dealers). 4. Like the Austin/O.P. gateway concept running kitty corner to unite rather than separate! 5. Please run public art/signage through O.P. Public Art Advisory Committee—no more Harrison Razors! 6. Signage for Businesses appears crucial. Great project!

Name: Bill Greffin
Address: N. Kenilworth
Phone Number:
Email: wegreffi@comcast.net
Representing:

Comment # 5:

Thank you for continued attention to Madison Street. I support improvements in the streetscape—but want to be careful that there is firm evidence that the chosen concepts are very likely to be effective (not like the Lake Street Pedestrian Mall). I would also like included a series of landscaped diverters buffering the residential and enhancing the commercial areas. These could be paid for as a compensating benefit from developers and increase parking opportunities. I do not want cull dusacks as they are impediments to emergency vehicles and create an us/them atmosphere. Please consider that there are 2 types of bikers that would use the bike lane—commuter and families with children on bikes.

Name: Linda Hill
Address: 521 South Grove Ave
Oak Park, IL 60304
Phone Number: (708) 848-7105
Email: Linda.Hill@gmail.com
Representing:

Comment # 6:

1. Although the protected bike lane is nice, if it costs more than the other type, go with the less expensive. 2. People and businesses will want to make sure that the final plan has sufficient parking. You might want to count up existing spaces versus planned spaces. 3. I was very surprised there was more traffic on Roosevelt than on Madison. 4. To me the most important aspect of any plan is the ability to cross Madison on foot safely. 5. Consider including diverters to separate commercial from residential sections of side streets.

Name: Melissa Mickleberry
Address: 417 South Grove
Phone Number: (708) 524-4986
Email: mickleb@gmail.com
Representing:

Comment # 7:

Overall I am extremely positive about what I have seen. My concerns are more future related, as in what happens to parking if this succeeds at redeveloping the area. As

it stands parking can be tight and my concerns are that there seems to be no planning for if/when parking demand increases. Personally, I'd like to see additional growth of the sidewalk between Harlem/Oak Park although I understand that it may not be feasible.

**Wants to know if info/drawings will be online.*

Name: Brian Keyes
Address: 719 Home
Phone Number: (312) 286-4540
Email: bkeyes@gmail.com
Representing:

Comment # 8:

West of Oak Park Avenue—looks great gain in green space along parkways allowing trees—excellent. East of Oak Park Ave: 1. Have concern that increasing the expanse of pavement (68 feet with no trees) is not more pleasant. 2. Have very big concern about the safety of the bike lane—too many crossings and turns, even if speeds are reduced. 3. This will not make Madison pleasant enough to make it a desirable bike route—too many large vehicles (trucks, etc.) and jockeying. 4. Beware of reducing green space in the parkways for the large expanses of paving. Often very unwarranted. Point in fact: section on north side of street just west of Ridgeland (@ 412 Madison) grass is fine there. 5. Beware of making too many large expanses of paving in the pedestrian way with useless urban chotskys, like sculpture and too large plants, plants, etc. 6. Don't fence everything with the black fences! Quiet green and trees are fine! 7. Don't over do the fussy plantings. They will not be cared for over the long term. 8. The loss of the median (where it is indeed effective) increases the street width and eliminates a safety is bad when crossing the street. With this plan (*something* of OPA) you have to cross almost 60 feet (68 feet?) with no safety landing—too wide for slow people to get across. I'm all for reducing vehicle speeds but would like to see version utilizing a center median (reduces pavement width).

Name: Carol Yetken
Address: 412 Madison Street (office)
Phone Number: (708) 524-1484
Email:
Representing:

Comment # 9:

I think the cut outs are going to be a snowplowing nightmare! The bike lane belongs on a boulevard—they do not allow trunks!

Name: Vikki Peterson
Address: 826 South Kenilworth
Oak Park
Phone Number: 383-6269

Email: vkp826@comcast.net
Representing:

Comcast # 10:

Like the addition of more trees west of Oak Park Avenue—more green canopy welcome! Have concerns about bike lanes, as Madison will continue to be an intense street with lots of turning vehicles. 5 foot width is quite narrow for bike lanes between parked cars and moving cars. Too much paving shown in many pedestrian areas, esp. east of Oak Park Avenue. In most places the lawn parkway is the best model—should not be cluttered with plazas, site furniture. If in the future more restaurants appear that need outdoor areas, then some lawn areas can be modified. Have concerns that drivers will perceive Madison as too slow and will use Washington Blvd more, which is a residential street doesn't need more cars. Doubling trees on parkways seems unnecessary, especially in tree grates which provide such an inhospitable environment.

Name: Karen Heller
Address: 315 South Harvey
Oak Park
Phone Number: (708) 386-1825
Email: Karen.Heller@sbcglobal.com
Representing:

Comcast # 11:

Well, always excited to see enhanced beauty to streetscape, so that point, along with safety, great. Bigger issue in looking at this is a total (ok, near total) under appreciation of the importance of easy, convenient, free parking. You want to improve Madison in Oak Park? More small businesses, more dining, more tables on the sidewalk, etc. Needs parking so people will be attracted to come. Do not underestimate the importance of simple, easy (no \$20 tickets) free parking. Also, less hassle to open a business.

Name: David Robbins
Address: 436 South Lombard
Phone Number: (312) 731-2811
Email: daraguy400@yahoo.com
Representing:

Comment # 12:

Although I like the plan and the goals of reduced traffic and improved safety, my concern is the financing. Especially since attracting new business is extremely important, I'm not sure if the expenditure will bring new business.

Name: Tom Naughton

Address: 530 South East
Phone Number:
Email:
Representing: Myself

Comment # 13:

I am very excited about the possibility of not only enhancing the environment which would attract more upscale businesses to Madison Street, but improving the safety factor. I feel I take my life in my hands whenever I cross to the 7-11 on Scoville or make a turn off of Scoville. Students from Fenwick are constantly crossing right through the center of the off-set intersection. I have witnessed several accidents at this intersection and have seen a car try to run over a cyclist. It's time for some things to be done! This is a well thought out plan.

Name: Nellie Schultz
Address: 508 West Madison Unit 3S
Phone Number: (708) 848-6815
Email: nelschultz@msn.com
Representing:

Comment # 14:

As a resident on the 500 South block of East Ave and a business owner on Madison Ave (Serenity Acupuncture) I am relieved that attention is finally being paid to this major thoroughfare. The proposal to slow traffic to improve safety for pedestrians and cyclists is key. I think free parking on Madison is essential. This is a consideration for all of my patients. On a side note the village has to find ways to become more small business friendly, rent, grants, etc.

Name: Patricia Miller
Address: 523 South East Ave
Phone Number: (708) 250-3822
Email: tricia@serenityacu@m.
Representing: Owner of Serenity Acupuncture 503 Madison Street (708) 848-4626

Comment # 15:

Traffic on Madison Street is too fast. The plans are encouraging that traffic will slow down because of the road diet. The safety of pedestrians is key to this project. Concerns: 1. Parking esp. around businesses e.g. the 90 seat Chicken and Waffles has created a traffic /parking nightmare on the side streets of Scoville and East and it's impossible to pull onto Madison from Scoville because the sight lines are so bad. 2. Will more people (drivers) start using the side streets because is so much slower? 3. Get rid of all the cul-de-sacs (Clinton, Kenilworth, Washington and Scoville and let all the street carry the traffic burden/let the streets be streets!)

Name: Teresa Naughton
Address: 530 South East Ave
Oak Park
Phone Number:
Email:
Representing: Myself

Comment # 16:

Thank goodness Madison Street is finally getting some positive attention—I love it! Madison Street is dangerous for our children crossing to get to and from school daily, the pedestrians of our village, the Farmer’s Market contingent and finally cyclists. Safety must be the driving force behind our decisions. Slow the traffic down! Madison Street has the opportunity to attract businesses of all types if it only looked different. Madison Street in Forest Park is a perfect example. I lived through that transformation and continue to be attracted to the shops, restaurants and businesses on “the other side” of the block. Wider sidewalks, a bike lane, a “road diet”—a dream come true after all these years of excessive property taxes for what is currently an eye sore. Please do something, and this plan is a great start! I also would hope you would carefully look at the parking being considered being removed from Clarence to East. Chicken and Waffles has no parking now, you can’t seriously think about taking away any parking at anytime of the day.

Name: Patti Farlee
Address: 527 South East Avenue
Phone Number: (708) 383-1225
Email: p-farlee@att.net
Representing: Myself and my family and my neighborhood

Comment # 17:

Thanks for providing this session. Overall I like the plan very much. I appreciate the green space, wider sidewalks, and bike lanes. My concerns are parking—ample parking to support commerce enterprises and potential special events planned in front of Village Hall. I am also concerned about economic development. I do not want to see the Village fall into a “build it and they will come” mentality and hope there is an aggressive economic development to accompany this proposal. I would like to see then an economic development plan and the street redevelopment plan fit together.

Name: Meredith Morris
Address: 436 South Lombard
Phone Number: (630) 853-0992
Email: morris-meredith@comcast.net
Representing: I am a condo owner

Comment # 18:

I am very much in favor of reducing traffic to two lanes, and for increasing the width of pedestrian-ways and green space along the corridor. I would like to keep the medians if possible, even if they need to be narrowed to 10 feet. I have no strong opinion on the bike lanes, but I would prefer to eliminate them if it would decrease the cost of the project, or allow additional funds to extend the length of the project (assuming that funding won't be adequate for Harlem to Austin). If bike lanes are not included, I would like to see the street narrowed as much as possible. If the bike lanes are included, I would like to see the 56 foot section (with the 5 foot bike lanes rather than 10 foot bike lanes) the whole way. This will allow additional space to be dedicated for pedestrians and will decrease the probability that the 10 foot bike lane would be used as a vehicle lane during the winter when bikes aren't active. A few more points: Straighten out the crosswalk at the south leg of Oak Park. There is a slight distance issue here because of the corner of the Walgreens building and the existing skewed crosswalk. If there is not enough money for the entire project, I would think the priorities should be: 1. Harlem to Oak Park, with a plaza at Oak Park. 2. Austin to Village Hall. If there is not enough money for entire project, please make sure that traffic is constructed at Austin, and the other terminus so as not to create a bottleneck at Oak Park.

Diagrams are included.

Name: Paul May, P.E.
Address: 535 South Euclid Avenue
Phone Number: (630) 417-7627
Email: pauldmay@yahoo.com
Representing:

Comment # 19:

The safety of all the students and pedestrians of Oak Park should be the single, most important motivation for fixing the traffic speed and flow on Madison. Shortening the distance that pedestrians have to cross with the bump outs, as well as slowing the traffic down by shrinking the number of lanes will do wonders towards improving the safety of all walkers, bikes and crossers on Madison. The additional green space and beautification of the avenue will also undoubtedly help draw new business (something has to!) The street right now is unattractive, not safe, and a poor representation of the rest of Oak Park.

Name: Kathy Sullivan
Address: 513 South East
Phone Number: (708) 660-9982
Email: kmssullivan@sbcglobal.net
Representing:

The following comments were dictated verbally to the transcriber.

Comment # 1:

Absolutely love it. For too long Madison has been bland. A rode to get from point A to point B. You have to cross from the sidewalk as fast as you can. This can be a unifier instead of being divider. It can be a gateway for new development, town homes and recreational activities. Making it more beautiful...making it walk able "bike able"...it can be a green corridor...attract businesses...visitors that are interested in a walk able "bike able" community. But you do need more of an attraction...residential development or something like the Children's Museum. I am interested in the Children's Museum on North. You will always have vehicle traffic because of Dunkin donuts, McDonald's. But you need places for people to want to go....if you have a "prubub"....children's museums...people will more likely be able to walk to it. Love it.

Name: John Harris.

Comment # 2:

I like this...I actually wanted this. I am apart NFMR, renewmadison.com. I was involved with them for several years...I have been pushing....making traffic go slower. All fits...All make sense. I wish someone could take pics of families running across the street. It is too wide.... too many cars...going too fast. Bad all around. I like the two biked lanes design...like Europe. Current design is less friendly families and kids. But I am for it.

Anonymous

The following comments came in through website comments:

Comment # 1:

Have been a resident for a long time here. My family stayed here due to location to public trans, highways, good schools etc.. We have agreed and disagreed with projects the village has done. We live on the south side of Oak Park and this project will effect us. Shortening the width of Madison is a problem. We have seen now the problem of trying to go west on Madison in Forest Park. It at times is terrible and we route ourselves on other roads, Jackson for example. (That street at times is also backed up at Harlem too!) Roosevelt Road is also very bad due to the one lane and we really avoid it. (Sorry for the businesses there!) It seems we are putting Bike lanes everywhere in this town. We need to be focusing on traffic congestion, fixing up Madison to attract businesses (tough in this economy but for the future), PARKING for people to access these businesses. A bike lane is just not needed to block more of the

street. Read about a resident here who wants to open up a MicroBrewery, that is what we need to start attracting with good parking! I really hope this board takes a good look at this and as a suggestion DRIVE around the area at different times to see first hand the congestion! Thank you.

M. Flint
Maryjoy Flint [dental4452@hotmail.com]

Comment # 2:

Dear Planning Commission:

I've reviewed the presentation on your recommendations for Madison Street and was shocked that there was not one slide - not even one - explaining the impact the "road diet" will have on the surrounding neighborhoods. Even the slides showing the locations of schools completely missed Longfellow Elementary, a school of over 500 pre-K through 5th graders, all of whom walk to school primarily down Jackson Blvd. Not to mention Longfellow Park, the site of countless youth activities. And based on the description of the committee process, there was no input from current property owners outside of the Madison business association.

Yes, Madison is big and ugly and there are a lot of cars. The slides show wonderful potential to improve how it looks and functions. However, a responsible Planning Commission would assess not just the impact to Madison Street, but the impact to the main east-west streets that parallel it. The traffic that currently travels down Madison will simply not sit in a 2 mile long traffic jam during rush hour. They will divert to Jackson Blvd, which already sees a high volume of traffic. Jackson is not, in any way shape or form, able to carry any more traffic than it already does. It has a school, two parks, and close residential housing along it already. Reducing Madison Street to a single lane each way will increase traffic accidents on Jackson and turn cross walks into hazardous crossings. What increase in fatalities and pedestrian accidents have been forecasted if this plan goes through? How will you address the traffic impact a few years from now when they rebuild the Eisenhower, and people divert from there to Jackson, Madison, and Washington? What is your plan for compensating your citizens for the decrease in property values because their house is now suddenly close to an incredibly busy street? How will the daily funeral processions that run down Madison and Jackson be handled? Please, look at how Madison flows through Forest Park during rush hour. It comes to a near stand still, and drivers divert off into the surrounding neighborhood, barely stopping at intersections in their rush to get to Harlem and back onto a 2 lane road. Look at Chicago, and the 3 block backup at Chicago and Harlem of drivers trying to cross, or the 2 block backup at Oak Park Ave. Building bike lanes is not going to dramatically reduce the auto traffic.

Please do not only review how the street will look and the options for decorating the crosswalks and green spaces. Spend a bit of the \$4M - \$6M on an actual assessment and be truthful and honest about what this could do to the neighborhoods that border Madison. And do a real assessment of the potential businesses that would choose to

locate along Madison. Given the current economy, will this attract what you expect? Even businesses in Forest Park, which you seem to be attempting to emulate, are failing and closing.

Your job is only half done. Please complete the rest of it before trying to convince everyone that your plan is a responsible one.

Thank you,
Amy Kuehl
705 S. Lombard Ave

Comment # 3:

Dear Mr. Failor, Committee members:

As an Oak Park resident of 35 years, I am strongly opposed to reducing the number of lanes on Madison St. It would be bad for big and small business alike. I shop at the Madison St. Jewel and Walgreens and other establishments... Al's, Mama Thai, New Rebozo and go to Village Hall. Fewer traffic lanes would slow me down. I'd probably end up going to the Jewel in River Forest and to the Walgreens in Forest Park. Narrowing the lanes makes no sense.

Paul Obis
1124 S Oak Park Ave
Oak Park, IL 60304

312-342-8182

paulobis1951@gmail.com

Comment # 4:

Greetings:

I am writing to voice opposition to the plan to reduce Madison to two lanes.

- There are very few options for going east-west in Oak Park that don't move at a snail's pace at busy times of the day. Madison is the best option for me; I suspect that's the case for many people.
- I also suspect that if Madison is cut to two lanes, more people will attempt to use side or "minor-major" streets to get to where they're going, and they won't be happy. I will be among them.
- I am not convinced that slowing drivers down so that they "see" the local businesses stimulates their desire to stop and shop. I would like to see the data that support that assertion.

- I support cyclists; let's encourage them to use Washington - unless of course we make Madison two lanes, in which case Washington may be filled with angry motorists trying to get from one side of the village to the other.

Thumbs down to this proposal!

Regards,
Debbie Pastors
619 N Ridgeland Ave

Comment # 5:

I would like to express my full support to the proposed changes to Madison Street. I live at Kenilworth and Madison and feel it is one of the most unattractive areas in the village. Adding bike lanes and green space would make a big difference. Please do it!

Thanks.

Steve Sacks [sacks_steve@hotmail.com]

Comment # 6:

Craig,

Family commitments prevented me from attending the public meeting on June 1st.

As you may know, I live three doors south from Madison on Clinton Avenue. I carefully reviewed the consultant's Power Points slides and I have the following comments:

I believe the 3 lane solution makes a lot of sense from Harlem to Austin. It should slow down traffic and decrease its use as a pass through from Chicago to the Western Suburbs. I strongly support the large pedestrian areas, particularly by Brooks and Julian. Many Middle School students, including my kids, cross Madison daily. Currently, cars rarely stop for pedestrians even at the marked cross walks.

The narrowing of the street and the addition of bike lanes will change the character of the street and will make commercial activity easier to achieve. When on foot or on bike, I avoid Madison if I can. If you are able to implement the core features of this plan, I feel certain that would change.

Thank you for the opportunity to comment.

Perry Vietti
508 Clinton Avenue
pmgsas@sbcglobal.net

MADISON STREET STREETScape
HARLEM AVE TO AUSTIN AVE
CONCEPT PLANS

PUBLIC MEETING
JUNE 1, 2011

COMMENT SHEET

Comments or questions regarding the concepts presented may be written below and dropped into the Comment Box at the meeting, or dropped off/mailed to the Village of Oak Park at the address indicated below.

Madison St Comments
c/o Mr. Craig Failor
Village of Oak Park
123 Madison Street
Oak Park, IL 60302

A few comments - The plan needs to be incorporated into a larger vision with regards to pedestrian crossings and parking. There will be traffic overflow on Washington, possibly Jackson and Harrison. A vision on how Brook's students will navigate Washington, near Kenilworth is needed. The Home avenue bridge crossing area needs improvement. It is a blind crossing to the east and increased traffic would create problems for students.

The Madison Corridor Plan calls for more parking for businesses. There needs to be a priority to create parking opportunities for existing business and business that will be reused. This is particularly evident between Home and Harlem. New Reboza and Mama Tai and Al's Grill are successful businesses that would benefit from additional parking. The current plan actually does the opposite and removes street parking on the south side of Madison adjacent to the Hospital parking lot. People don't need to park to go to the parking lot, but maybe they could park and cross the street. There are ample Village lots and side street opportunities to increase parking.

Side street parking regulations need to be reviewed and changed to make it user/business friendly. The hodgepodge of 2hr parking, no parking, permit parking, no overnight parking, overnight parking by permit etc, is confusing and not conducive for public use. Public, convenient street parking on Madison or side streets enable businesses to reuse space without having to build and incorporate parking spots.

Shared parking in existing lots could be a solution to create parking spaces. For instance, the D97 lot could be used for The Madison Arts Center (Circle Theatre) in off hours and weekends.

The Village must prioritize and quantify spending based on need and economic return. Bike lanes and the Village Hall mall are wonderful amenities, but I don't know how much economic return they provide and may not be worth spending money on at this time.

Name: Craig Chesney
Address: 634 Clinton
Phone Number: 312 461 0050
Email: craigchesney@hotmail.com
Representing: Homeowner / 901 W Madison

I am very disappointed in the leadership of Oak Park! The Madison Street Corridor issue has been going on for nearly a decade! Other than a few planters in the median; what have you accomplished? I cannot believe we are still in the schematic phase of this project. Someone at village hall needs to make Madison Street a priority just as you have made raising taxes and fees a priority. You seem to move very quickly in that department!

As for the latest schematic plan, and by the way I hope this is the last schematic plan we will be asked to view, it is time to move forward on this. I like the idea of the road diet and making the street more business ordinate. I would love to be able to walk outside of my building, and stroll down the street and have a choice of restaurants to visit. As you know, or might not know since I don't think any of you are concerned about our quality of life, we do not have the choices that our Forest Park neighbors have on Madison Street. How about the commerce dept try to attract upscale restaurants and make Madison Street or at least a section cater to ethnic dining. In Forest Park I have a choice of several different food types all within three blocks! What does Oak Park offer on Madison Street? McDonalds, Dino's, KFC, and Dunkin donuts! This should be a no brainer! This is why most of my entertainment money is spent in Forest Park and not Oak Park. Why? Because Forest Park leaders know that revenue comes from people having facilities to patronize. We need Madison Street to become a magnet to draw businesses and people to this part of town. I have news for you; I spend more money in Forest Park than I do Oak Park. Why, because Forest Park offers dining, entertainment, and shopping. Yes, of course Oak Park has the same but it is not adequate compared to Forest Park. How about a retail center at Oak Park and Madison. How long are we going to look at an ugly parking lot trimmed in dead grass? Get off your butts and DO SOMETHING!! I cannot wait for the next election, President Pope adios!!

Signed,

One Pissed Off Resident

From: Ellen Edwards [ellenedw@gmail.com]

Sent: Thursday, June 16, 2011 10:10 PM

To: planning@oak-park.us

Subject: Madison Street Redo feedback

Dear Oak Park Planning commission,

I was puzzled to read in the June 8 Wednesday Journal that reaction to the idea of shrinking Madison Street to two lanes was "mostly positive."

I do not share a positive view of this idea.

Madison Street is the ONLY solution for drivers who need to get across Oak Park quickly. Its 4 lanes and strategically placed left-turn lanes enable traffic to move efficiently at pretty much all hours of the day or night. In today's world of gridlock, this is heaven to a motorist!

In a perfect world, where we would all be riding bikes, or working from home, or not caring how long it takes us to get from Point A to Point B, sure - it would be great to have a leisurely paced single lane of traffic with plenty of time to eyeball the local shops and turn in to a convenient parking spot when we see an enticing place to do business.

This is pie-in-the-sky nonsense. And costly too.

Have you ever heard of the axiom "if it ain't broke, don't fix it"? That is the perfect advice for Madison Street.

If the new chicken place on Madison wants to attract new customers, let them do what businesses have done for centuries: advertise! There is a world of opportunity for businesses to promote themselves: in the Wednesday Journal. On facebook. In the Value Pack mailer that comes to my mailbox every week. Word of mouth.

Ziping along at 40 mph is one of the pleasures of my life, every time I need to get from where I live (Ontario and Kenilworth) to the Ike to go into the city, or down to Harrison Street, or down to Fitzgeralds for some music.

If you shrink Madison to one lane, where do you think all the east-west traffic will go? Jackson? Nope, the traffic calming ruined that as a through-street, and perhaps rightly so since it's a residential area. Washington? Another residential area, where fast-moving cars probably would not be welcome. Harrison? again, too residential for fast-moving cars to be welcome.

Leave Madison as a 4-lane street. It works. Don't mess with a good thing.

Sincerely,

Ellen Edwards

37-year resident of Oak Park

708-848-0022

Public Meetings to discuss future of Madison Street

Streetscape & Public Enhancements



7:30 - 9 p.m.
May 11 & June 1

Julian Middle School
Commons Area
416 S. Ridgeland Ave.



Oak Park

Public Meetings to discuss future of Madison Street

Streetscape & Public Enhancements



7:30 - 9 p.m.
May 11 & June 1

Julian Middle School
Commons Area
416 S. Ridgeland Ave.



Oak Park

Public Meetings to discuss future of Madison Street

Streetscape & Public Enhancements



7:30 - 9 p.m.
May 11 & June 1

Julian Middle School
Commons Area
416 S. Ridgeland Ave.



Oak Park

Public Meetings to discuss future of Madison Street

Streetscape & Public Enhancements



7:30 - 9 p.m.
May 11 & June 1

Julian Middle School
Commons Area
416 S. Ridgeland Ave.



Oak Park

The public is invited to discuss potential public improvements to the Madison Street Corridor from Austin Boulevard to Harlem Avenue.

Come discover the meaning of "Complete Streets" and "Road Diet" and how they may help shape the future of Madison Street.

For more information e-mail planning@oak-park.us or call 708.358.5418.



The public is invited to discuss potential public improvements to the Madison Street Corridor from Austin Boulevard to Harlem Avenue.

Come discover the meaning of "Complete Streets" and "Road Diet" and how they may help shape the future of Madison Street.

For more information e-mail planning@oak-park.us or call 708.358.5418.



The public is invited to discuss potential public improvements to the Madison Street Corridor from Austin Boulevard to Harlem Avenue.

Come discover the meaning of "Complete Streets" and "Road Diet" and how they may help shape the future of Madison Street.

For more information e-mail planning@oak-park.us or call 708.358.5418.



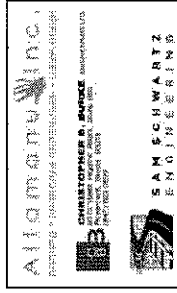
The public is invited to discuss potential public improvements to the Madison Street Corridor from Austin Boulevard to Harlem Avenue.

Come discover the meaning of "Complete Streets" and "Road Diet" and how they may help shape the future of Madison Street.

For more information e-mail planning@oak-park.us or call 708.358.5418.



COST ESTIMATE INFORMATION



Village of Oak Park
Madison Street Improvement
 Harlem Ave to Austin Ave



ALTERNATE 3: "Move Parking Curb, Bike Lane Home to Oak Park, Bike Tracks Oak Park to Lombard, Remove Medians"

Rejuvenation of parkways and sidewalks. Bike Tracks Between Parkway and Parking Stalls Oak Park to Lombard.
Lots of roadway work, with colored bike lanes at intersections and colored crosswalks.

Harlem to Home: Improvements include new lighting, parkway trees in grates, new drainage inlets, new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, new outer pavement/curb and minor landscaping. Mill and resurface roadway.

Home to Oak Park: No geometric changes. Improvements include new lighting, parkway trees in grates, new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, and minor landscaping. Mill and resurface roadway.

Oak Park to Lombard:

Median improved from barrier to flush, bike lane curbline is moved approx 4' toward centerline, bumpout islands created between bike lane and parking lane. Improvements include new lighting, parkway tree infill, barrier median removal, new flush median (HMA pvmnt), new drainage inlets new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, new outer pavement/curb/carragiewalk and minor landscaping. Mill and resurface roadway.

Lombard to Austin:

Median improved from barrier to flush, parking curbline is moved approx 4' toward centerline, bumpout islands created in parking lane at corners. Improvements include new lighting, parkway tree infill, barrier median removal, new flush median, (HMA pvmnt), new drainage inlets new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, new outer pavement/curb/carragiewalk and minor landscaping. Mill and resurface roadway.

Order of Magnitude - Engineer's Estimate of Probable Construction Cost

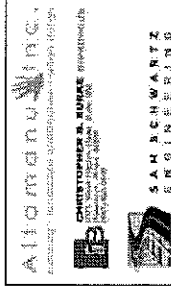
Item	Unit	Harlem to Home (1300 Ft)	Home to Oak Park (1570 Ft)	Oak Park to Lombard (4000 Ft)	Lombard to Austin (1280 Ft)	Total (8,150 ft) (1.54 mi)	Unit Price	Total Price
C&G Remov	Ft	2600	3140	8000	2560	16300	\$5	\$81,500
Conc Carriage Walk Remov	Ft	0	0	8000	2560	10560	\$4	\$42,240
Pvmt Remov at Pkg Ln *	Sq Yd	2167	2617	8445	2703	15932	\$16	\$254,912
Sidewalk Remov	Sq Ft	22100	26690	40000	12800	101590	\$4	\$406,360
Driveway / Alley Removal	Sq Yd	273	467	3489	627	4856	\$11	\$53,416
Adj Ex Drain Structures	Ea	36	43	107	35	221	\$310	\$68,510
Remove Ex Conc Median Curb (22 medians)	Ft	0	0	4850	1550	6400	\$9	\$57,600
Remove Ex Median Landscape	Sq Yd	0	0	1975	659	2634	\$12	\$31,608
Pvmt Remov at Median (2' wide)	Sq Yd	0	0	1078	345	1423	\$16	\$22,768
Remove Ex Lighting System (~200 Ft spacing)	Ea	16	18	40	16	90	\$700	\$63,000
PR C&G	Ft	3120	3768	9600	3072	19560	\$20	\$391,200
PR Conc Carriage Walk	Ft	0	0	9600	3072	12672	\$8	\$101,376
PR Pvmt at Pkg Ln (2' wide)(10" HMA on Agg Sub)	Sq Yd	347	419	1067	342	2175	\$50	\$108,750
PR Bike Medians C&G	Ft	0	0	14400	0	14400	\$20	\$288,000
PR Bike Medians Surface (Landscape/Conc Surf)	Sq Yd	0	0	2000	0	2000	\$8	\$16,000
PR Pvmt at Bike lane (5' wide)(10" HMA on Agg Sub)	Sq Yd	0	0	5334	0	5334	\$50	\$266,700
PR CB at Bike Medians (w/ 8' of 12" Storm Sew Lat)	Ea	0	0	54	0	54	\$4,200	\$226,800
PR Decorative Ped Light Poles w/ recepticals	Ea	0	0	56	20	76	\$3,500	\$266,000
Mill and Resurface HMA Pvmt (2.5")	Sq Yd	7078	8603	24264	7720	47665	\$21	\$1,000,965
PR Sidewalk	Sq Ft	13000	15700	48000	15360	92060	\$7	\$644,420
PR Driveway / Alley	Sq Yd	382	467	4095	953	5897	\$22	\$129,734
PR Pvmt Patch	Sq Yd	723	873	1778	569	3943	\$65	\$256,295
PR CB (w/ 8' of 12" Storm Sew Lat)	Ea	18	0	54	18	90	\$4,200	\$378,000
PR Pvmt at Med (20' wide)(10" HMA on Agg Sub)	Sq Yd	0	0	3292	1098	4390	\$50	\$219,500
PR Pvmt Marking	Ft	6500	7900	20000	6400	40800	\$1	\$40,800
Signal Modifications	Ea	2	0	3	1	6	\$250,000	\$1,500,000
Temp Drive Access	Ea	7	12	39	7	65	\$1,000	\$65,000
Temp Lighting	L Sum	0.15	0.20	0.5	0.15	1	\$50,000	\$50,000
PR 35' Decorative Street Light Poles (Lighting Sys)	Ea	20	24	54	18	116	\$11,000	\$1,276,000
PR Trees	Ea	59	64	72	30	225	\$450	\$101,250
Pr Tree Grates	Ea	46	57	8	57	168	\$625	\$105,000
Tree Planters w/Railings	Ea	7	1	95	48	151	\$400	\$60,400
Silva Cells at Pr Trees	Sq Ft	11200	11400	0	0	22600	\$45	\$1,017,000
PR Plants/Ferts/Topsoil	Sq Yd	50	50	6667	4125	10892	\$11	\$119,812
New Roadway Signage & Wayfinding Signage	L Sum	0.15	0.20	0.5	0.15	1	\$40,000	\$40,000
Platner Pots (8' dia)	Ea	1	1	7	0	9	\$1,100	\$9,900
Benches	Ea	9	6	102	32	149	\$2,000	\$298,000
Bike Racks	Ea	13	16	40	13	82	\$380	\$31,160
Trash Recepticals	Ea	13	16	40	13	82	\$750	\$61,500
Bollards	Ea	7	8	20	7	42	\$320	\$13,440
Decorative Brick Sidewalk Parkway	Sq Ft	9450	9500	51850	41300	112100	\$15	\$1,681,500
Decorative Pavement "Overlay"	Sq Ft	0	9900	15400	16400	41700	\$14	\$583,800
Coloring of Bike Lane (33% of total length)	Sq Yd	0	527	1334	0	1861	\$81	\$150,741
Coloring of Bike Lane Buffers (0% of total length)	Sq Yd	0	0	0	0	0	\$81	\$0
Village Hall Roadway Plaza Treatment	L Sum	0	0	0	1	1	\$100,000	\$100,000
Village Hall Roadway Gateway Arch	L Sum	0	0	0	1	1	\$250,000	\$250,000
Sub-Total								\$12,930,957
MOT (1.5%)		0.3	0.40	1	0.3	2		\$193,965
Mobilization (4%)		0.6	0.80	2	0.6	4		\$517,239
Erosion Control (0.5%)		0.15	0.20	0.5	0.15	1		\$64,655
Contingency (15%)		3	4	10	3	20		\$1,939,644
Engineering (13%)						1		\$1,681,025
Grand Total								\$17,327,485

Grand Total

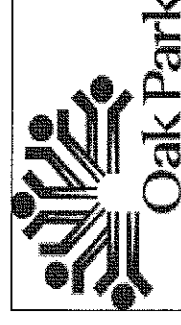
\$20.0 per sq ft of ROW

Anticipated Items not included in Cost Estimate: removal of non-special and special waste, water main improvements, comb sew improvements, irrigation

Prepared by: Bryan L. Luke, PE, CBBEL 04/18/11 (title updates 11/17/11)



Village of Oak Park
Madison Street Improvement
 Harlem Ave to Austin Ave



ALTERNATE 2: "Move Parking Curb Each End of Corridor, Add Bike Lane Home to Lombard, Remove Medians"

Rejuvenation of parkways and sidewalks. Switch Vehicle lane to Bike Lane Oak Park to Lombard.
Lots of roadway work, with colored bike lanes and colored crosswalks.

Harlem to Home:

Move curb approx 4' toward centerline. Improvements include new lighting, parkway trees in grates, new drainage inlets, new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, new outer pavement/curb and minor landscaping. Mill and resurface roadway.

Home to Oak Park:

No geometric changes. Improvements include new lighting, parkway trees in grates, new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, minor landscaping. Mill and resurface roadway.

Oak Park Lombard:

Median improved from barrier to flush. No geometric changes to parkway curb. Improvements include new lighting, parkway tree infill, barrier median removal, new flush median (HMA pvmnt), new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, new outer pavement/curb/carnagewalk and minor landscaping. Mill and resurface roadway.

Lombard to Austin:

Median improved from barrier to flush, parking curbline is moved approx 8' toward centerline, bumpout islands created in parking lane at corners. Improvements include new lighting, parkway tree infill, barrier median removal, new flush median, (HMA pvmnt), new drainage inlets new conc bus pads, sidewalk remove/repl as needed, remove/repl driveways and alleys, new outer pavement/curb/carnagewalk and minor landscaping. Mill and resurface roadway.

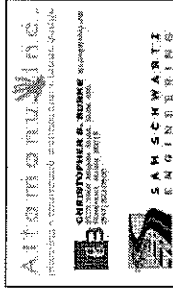
Order of Magnitude - Engineer's Estimate of Probable Construction Cost

Item	Unit	Harlem to Home (1300 Ft)	Home to Oak Park (1570 Ft)	Oak Park to Lombard (4000 Ft)	Lombard to Austin (1280 Ft)	Total (8,150 ft (1.54 mi))	Unit Price	Total Price
C&G Remove	Ft	2600	3140	8000	2560	16300	\$5	\$81,500
Conc Carriage Walk Remove	Ft	0	0	8000	2560	10560	\$4	\$42,240
Pvmt Remove at Pkg Ln *	Sq Yd	2167	2617	8445	2703	15932	\$16	\$254,912
Sidewalk Remove	Sq Ft	22100	26690	40000	12800	101590	\$4	\$406,360
Driveway / Alley Removal	Sq Yd	273	467	3489	627	4856	\$11	\$53,416
Adj Ex Drain Structures	Ea	36	43	107	35	221	\$310	\$68,510
Remove Ex Conc Median Curb (22 medians)	Ft	0	0	4850	1550	6400	\$9	\$57,600
Remove Ex Median Landscape	Sq Yd	0	0	1975	659	2634	\$12	\$31,608
Pvmt Remove at Median (2' wide)	Sq Yd	0	0	1078	345	1423	\$16	\$22,768
Remove Ex Lighting System (~200 Ft spacing)	Ea	16	18	40	16	90	\$700	\$63,000
PR C&G	Ft	3120	3768	5760	3072	15720	\$20	\$314,400
PR Conc Carriage Walk	Ft	0	0	5760	3072	8832	\$8	\$70,656
PR Pvmt at Pkg Ln (2' wide)(10" HMA on Agg Sub)	Sq Yd	347	419	640	342	1748	\$50	\$87,400
PR Bike Medians C&G	Ft	0	0	0	0	0	\$20	\$0
PR Bike Medians Surface (landscape/Conc Surf)	Sq Yd	0	0	0	0	0	\$8	\$0
PR Pvmt at Bike lane (5' wide)(10" HMA on Agg Sub)	Sq Yd	0	0	0	0	0	\$50	\$0
PR CB at Bike Medians (w/ 8' of 12" Storm Sew Lat)	Ea	0	0	0	0	0	\$4,200	\$0
PR Decorative Ped Light Poles w/ recepticals	Ea	0	0	56	20	76	\$3,500	\$266,000
Mill and Resurface HMA Pvmt (2.5")	Sq Yd	7078	8603	27820	8818	52319	\$21	\$1,098,699
PR Sidewalk	Sq Ft	13000	15700	48000	15360	92060	\$7	\$644,420
PR Driveway / Alley	Sq Yd	382	467	2579	463	3891	\$22	\$85,602
PR Pvmt Patch	Sq Yd	723	873	3112	996	5704	\$65	\$370,760
PR CB (w/ 8' of 12" Storm Sew Lat)	Ea	18	0	0	18	36	\$4,200	\$151,200
PR Pvmt at Med (20' wide)(10" HMA on Agg Sub)	Sq Yd	0	0	3292	1098	4390	\$50	\$219,500
PR Pvmt Marking	Ft	6500	7900	20000	6400	40800	\$1	\$40,800
Signal Modifications	Ea	2	0	0	0	2	\$250,000	\$500,000
Temp Drive Access	Ea	7	12	39	7	65	\$1,000	\$65,000
Temp Lighting	L Sum	0.15	0.20	0.5	0.15	1	\$50,000	\$50,000
PR 35' Decorative Street Light Poles (Lighting Sys)	Ea	20	24	54	18	116	\$11,000	\$1,276,000
PR Trees	Ea	59	64	40	30	193	\$475	\$91,675
PR Tree Grates	Ea	46	57	8	57	168	\$625	\$105,000
Tree Planters w/Railings	Ea	7	1	95	48	151	\$400	\$60,400
Silva Cells at Pr Trees	Sq Ft	11200	11400	0	0	22600	\$45	\$1,017,000
PR Plants/Ferts/Topsoil	Sq Yd	50	50	880	3129	4109	\$11	\$45,199
New Roadway Signage & Wayfinding Signage	L Sum	0.15	0.20	0.5	0.15	1	\$40,000	\$40,000
Platner Poles (8' dia)	Ea	1	1	7	0	9	\$1,100	\$9,900
Benches	Ea	9	6	102	32	149	\$2,000	\$298,000
Bike Racks	Ea	13	16	40	13	82	\$380	\$31,160
Trash Recepticals	Ea	13	16	40	13	82	\$750	\$61,500
Bollards	Ea	7	8	20	7	42	\$320	\$13,440
Decorative Brick Sidewalk Parkway	Sq Ft	9450	9500	51850	41300	112100	\$15	\$1,681,500
Decorative Pavement "Overlay"	Sq Ft	0	9900	15400	16400	41700	\$14	\$583,800
Coloring of Bike Lane (100% of total length)	Sq Yd	0	1756	4445	0	6201	\$81	\$502,281
Coloring of Bike Lane Buffers (66% of total length)	Sq Yd	0	234	587	0	821	\$81	\$66,501
Village Hall Roadway Plaza Treatment	L Sum	0	0	0	1	1	\$100,000	\$100,000
Village Hall Roadway Gateway Arch	L Sum	0	0	0	1	1	\$250,000	\$250,000
Sub-Total								\$11,279,707
MOT (1.5%)		0.3	0.40	1	0.3	2		\$169,196
Mobilization (4%)		0.6	0.80	2	0.6	4		\$451,189
Erosion Control (0.5%)		0.15	0.20	0.5	0.15	1		\$56,399
Contingency (15%)		3	4	10	3	20		\$1,691,957
Engineering (13%)						1		\$1,466,362
Grand Total								\$15,114,810

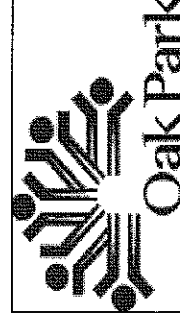
The Western to Oak Park sections of the above work are estimated to cost approx. \$5,000,000

Anticipated items not included in Cost Estimate: removal of non-special and special waste, water main improvements, comb sew improvements, irrigation

Prepared by: Bryan L. Luke, PE, CBEL 04/18/11 (updates 11/17/11)



Village of Oak Park
Madison Street Improvement
Harlem Ave to Austin Ave



ALTERNATE 1: "Behind the Curbs"

Rejuvenation of parkways and sidewalks. No roadway work besides minor repairs and colored crosswalks.

Harlem to Austin:
Bumpouts at crosswalks, new sidewalk/pavers, lighting and entrances.

Order of Magnitude - Engineer's Estimate of Probable Construction Cost

Item	Unit	Harlem to Home (1300 Ft)	Home to Oak Park (1570 Ft)	Oak Park to Lombard (4000 Ft)	Lombard to Austin (1280 Ft)	Total (8,150 ft) (1.54 mi)	Unit Price	Total Price
C&G Remov	Ft	400	600	1200	400	2600	\$5	\$13,000
Conc Carriage Walk Remov	Ft					0	\$4	\$0
Pvmt Remov at Pkg Ln *	Sq Yd	223	334	667	223	1447	\$16	\$23,152
Sidewalk Remov	Sq Ft	22100	26690	40000	12800	101590	\$4	\$406,360
Driveway / Alley Removal	Sq Yd	273	467	3489	627	4856	\$11	\$53,416
Adj Ex Drain Structures	Ea					0	\$310	\$0
Remove Ex Conc Median Curb (22 medians)	Ft					0	\$9	\$0
Remove Ex Median Landscape	Sq Yd					0	\$12	\$0
Pvmt Remov at Median (2' wide)	Sq Yd					0	\$16	\$0
Remove Ex Lighting System (~200 Ft spacing)	Ea	16	18	40	16	90	\$700	\$63,000
PR C&G	Ft	600	900	1800	600	3900	\$20	\$78,000
PR Conc Carriage Walk	Ft					0	\$8	\$0
PR Pvmt at Pkg Ln (2' wide)(10" HMA on Agg Sub)	Sq Yd	134	200	400	134	868	\$50	\$43,400
PR Bike Medians C&G	Ft					0	\$20	\$0
PR Bike Medians Surface (Landscape/Conc Surf)	Sq Yd					0	\$8	\$0
PR Pvmt at Bike Lane (5' wide)(10" HMA on Agg Sub)	Sq Yd					0	\$50	\$0
PR CB at Bike Medians (w/ 8' of 12" Storm Sew Lat)	Ea					0	\$4,200	\$0
PR Decorative Ped Light Poles w/ recepticals	Ea	0	0	56	20	76	\$3,500	\$266,000
Mill and Resurface HMA Pvmt (2.5")	Sq Yd	240	360	720	240	1560	\$21	\$32,760
PR Sidewalk	Sq Ft	13000	15700	48000	15360	92060	\$7	\$644,420
PR Driveway / Alley	Sq Yd	382	467	4095	953	5897	\$22	\$129,734
PR Pvmt Patch	Sq Yd					0	\$65	\$0
PR CB (w/ 8' of 12" Storm Sew Lat)	Ea					0	\$4,200	\$0
PR Pvmt at Med (20' wide)(10" HMA on Agg Sub)	Sq Yd					0	\$50	\$0
PR Pvmt Marking	Ft					0	\$1	\$0
Signal Modifications	Ea					0	\$250,000	\$0
Temp Drive Access	Ea	5	12	39	7	63	\$1,000	\$63,000
Temp Lighting	L Sum	0.15	0.20	0.5	0.15	1	\$50,000	\$50,000
PR 35' Decorative Street Light Poles (Lighting Sys)	Ea	20	24	54	18	116	\$11,000	\$1,276,000
PR Trees	Ea			10	40	50	\$450	\$22,500
Pr Tree Grates	Ea			5	20	25	\$625	\$15,625
Tree Planters w/Railings	Ea			10	20	30	\$400	\$12,000
Silva Cells at Pr Trees	Sq Ft					0	\$45	\$0
PR Plants/Ferts/Topsoil	Sq Yd					0	\$11	\$0
New Roadway Signage & Wayfinding Signage	L Sum	0.15	0.20	0.5	0.15	1	\$40,000	\$40,000
Platner Pots (8' dia)	Ea	1	1	7	0	9	\$1,100	\$9,900
Benches	Ea	4	4	40	16	64	\$2,000	\$128,000
Bike Racks	Ea	7	8	20	7	42	\$380	\$15,960
Trash Recepticals	Ea	7	8	20	7	42	\$750	\$31,500
Bollards	Ea	7	8	20	7	42	\$320	\$13,440
Decorative Brick Sidewalk Parkway	Sq Ft	4725	4750	25925	20650	56050	\$15	\$840,750
Decorative Pavement "Overlay"	Sq Ft	0	8910	13860	14760	37530	\$14	\$525,420
Coloring of Bike Lane (33% of total length)	Sq Yd					0	\$81	\$0
Coloring of Bike Lane Buffers (0% of total length)	Sq Yd					0	\$81	\$0
Village Hall Roadway Plaza Treatment	L Sum	0	0	0	1	1	\$100,000	\$100,000
Village Hall Roadway Gateway Arch	L Sum	0	0	0	1	1	\$250,000	\$250,000
Sub-Total								\$5,147,337
MOT (1.5%)		0.3	0.40	1	0.3	2		\$77,211
Mobilization (4%)		0.6	0.80	2	0.6	4		\$205,894
Erosion Control (0.5%)		0.15	0.20	0.5	0.15	1		\$25,737
Contingency (15%)		3	4	10	3	20		\$772,101
Engineering (13%)						1		\$669,154
Grand Total								\$6,897,434
								\$8.0 per sq ft of ROW

Assumptions:

35' wide x 20' deep entrances/alleys

* Pvmt Remov at Pkg Ln per side: Harlem to Home 7.5', Oak Park to Lombard 18.5' wide min, 23.5' wide at bumps, Lombard to Austin 7.5'

Anticipated items not included in Cost Estimate: removal of non-special and special waste, water main improvements, comb sew improvements, irrigation

Prepared by: Bryan L. Luke, PE, CBBEL 04/18/11 (title updates 11/17/11)



A(2)

Date: November 22, 2011

To: President Pope and Village Board of Trustees

From: Tom Barwin, Village Manager

Re: Financing Madison Street Economic and Infrastructure Improvements

Background

Implementation of a Board approved version of the Madison Street Improvement plan presented to the BOT on Monday, November 28, 2011, represents the opportunity to move forward on the long standing goal of improving the economic development potential along with what was an Oak Parks jobs and tax base rich corridor known as Motor Row. Fourteen of fifteen buildings which once served the automotive industry on Madison remain on the corridor with one having been demolished.

The Madison Street Corridor, in the center of Oak Park, remains an important asset to the Oak Park tax and jobs base. Unfortunately some sections of the corridor have declined into a state of blight and unsightliness, which is not conducive to private tax base building, job base creation or new investments.

Despite changes to the economy and decline in the Madison Street Corridor, the corridor represents great economic tax base and employment potential for the community as it is refashioned for the changing and future economy.

The Madison Street Business Corridor redevelopment and project area was created several years ago precisely to meet this challenge and opportunity.

Recommendations to Finance Madison Street Improvements

Staff estimates that the Madison TIF will generate an estimated \$7.7 million dollars to invest in priority improvements within the Madison Street Corridor to improve the economy and tax base along Madison Street. Although the available funds will not address all of Madison Street's infrastructure needs and ongoing opportunities, it is a good start.

Therefore, staff recommends that 90% of Madison TIF revenues be earmarked toward implementing the Madison Street Corridor plan as approved by the Village Board

beginning with design and engineering in 2012 and construction in 2013, phasing as financing becomes available.

The remaining 10% of the Madison TIF funds to be invested in economic development programs the Village has budgeted in 2012 and/or has had success with in the past including a) Façade grants b) Building Systems modernization grants – private and cultural attractions, c) economic development efforts, as lawful and appropriate, including participating in the new Village Main Street program in 2012 and/or D) as otherwise determined by the Village Board.

The suggested resolution for Madison Street Economic Improvement Investments is offered below:

Moved by _____ seconded by _____ to invest 90% of accrued Madison Street Corridor TIF funds in the final design, engineering and construction of the Madison Street Improvement Plan as approved by the Board of Trustees, beginning with the Oak Park Avenue to Harlem Phase and a Gateway Treatment at Austin to be known as Phase I, with 10% of the accrued Madison Street Corridor TIF funds to be invested in economic development grants and programs. The Village has had success with in the past and new programs to be finalized in the first quarter of 2012, with implementation of the Madison Corridor economic development initiatives to begin in the second quarter of 2012 as approved by the Board of Trustees.

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

B

Item Title: Ordinance Related to Beekeeping in the Village of Oak Park (Ordinance Creating Chapter 20, Article 11 and Amending Chapter 16, Article 1, Section 4)

Resolution or Ordinance No. _____
Date of Board Action: November 28, 2011

Staff Review:

Department Director Name:



Village Manager's Office:



Item History (Previous Board Review, Related Action, History): On October 5, 2010, after an extensive review of the issue which included a public hearing and consultation from local and regional experts in bee-keeping, the Board of Health voted to recommend that Chapter 16-1-4 of the Oak Park Village Code be amended to remove 'bee-hive maintenance' from the schedule of nuisances. On June 14, 2011, the Village Board voted to approve the recommendation and directed the staff to draft an ordinance regulating bee hive maintenance.

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):
Honey bees are the primary pollinator of flowering plants, fruits and vegetables. Approximately one third of the human food supply depends on insect pollination, most of which is accomplished by honey bees. Beekeeping, as a hobby, is becoming increasingly more popular as a result of the recent interest in local and sustainable food sources. Local regulation of beekeeping is essential to assure the health and safety of all residents. Therefore, the proposed ordinance contains a provision that requires a permitted beekeeper to post a warning notice; in addition, beekeeping would not be permitted within 150 feet of an address where an individual with a physician-certified bee allergy resides.
Staff recommend adoption of the ordinance.

Intergovernmental Cooperation Opportunities (describe if there are opportunities for cost savings or better service with this item by joint participation from other local Oak Park governmental agencies, or regional municipalities):

Item Budget Commentary: (Account #; Balance; Cost of contract) No budgetary impact.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

Proposed Recommended Action: Approve the adoption of the ordinance

**ORDINANCE RELATED TO BEEKEEPING IN THE
VILLAGE OF OAK PARK**

BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, acting pursuant to its Home Rule Authority as set forth in Article VII, Section 6 of the Illinois Constitution (1970), as follows:

SECTION ONE: FINDINGS

The Board of Trustees makes the following finds of fact:

1. Honey Bees, members of the genus *Apis*, are the primary pollinator of flowering plants, including ornamental plants as well as fruits and vegetables.
2. An estimated one third of the human food supply depends on insect pollination, most of which is accomplished by Honey Bees.
3. The United States has experienced a significant decline in Honey Bee populations due to colony collapse disorder.
4. The Board of Trustees of the Village of Oak Park finds that it is in the best interests of the Village to permit beekeeping under the limited circumstances set forth below.

SECTION TWO: That Chapter 20 of the Village Code entitled "Public Health" is hereby amended to add a new Article 11 entitled "Beekeeping," to read as follows:

ARTICLE 11: BEEKEEPING

20-11-1: DEFINITIONS

For the purposes of this Ordinance, the following words and/or phrases shall have the meanings described below:

APIARY: The assembly of one (1) or more hives or colonies of Honey Bees at a single location.

BEEKEEPER: A person who owns or has charge of one or more colonies of Honey Bees.

BEEKEEPING EQUIPMENT: Anything used in the operation of an Apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

COLONY: The entire Honey Bee family or social unit living together.

HIVE: A frame or structure used or employed as a domicile for bees.

HONEY BEE: The common domestic Honey Bee, limited to the *Apis Mellifera* species, specifically excluding the African Honey Bee, *Apis Mellifera Scutellata* or Africanized Honey Bees.

LANGSTROTH TYPE HIVE: A hive consisting of an outer frame with a solid top cover, an inner cover, a bottom board, and a number of boxes and supers containing tightly spaced moveable frames.

LOT: A contiguous parcel of land under common ownership.

UNDERDEVELOPED PROPERTY: Any idle or vacant lot that is not improved or actually in the process of being improved with structures or improvements intended for human use or occupancy.

20-11-2: BEEKEEPING PERMIT

A. Permit Required

Persons wishing to establish or maintain a Honey Bee Apiary in the Village of Oak Park shall first obtain a beekeeping permit from the Village. Applications shall be submitted to the Director of Public Health. Beekeepers, who owned and operated a Honey Bee Apiary within the Village prior to the effective date of this Ordinance and who continue to do so after the effective date of this Ordinance, shall have 30 days after such effective date to

apply for a beekeeping permit. At the time of application for a Village beekeeping permit, the applicant shall:

1. Demonstrate compliance with all requirements of this Ordinance; and
2. Pay a seventy-five (\$75) nonrefundable permit fee for each apiary location.

B. Permit Expiration and Renewal

Village beekeeping permits shall expire on March 31 of each calendar year. Beekeepers must apply to renew their permit annually. Renewal permits may be obtained by submitting a renewal application to the Village of Oak Park Public Health Director. Renewal permits shall be subject to the same requirements as original permits.

C. Inspection – Right of Entry

By applying for a beekeeping permit, the applicant authorizes the Director of Public Health to enter on to that part of the applicant's property which contains the Apiary for the limited purpose of inspecting the Apiary for compliance with this Article.

D. Non-Transferability

No Village beekeeping permit shall be assigned or transferred to any other person, or to any other location. No refund shall be granted for any unexpired period of a Village beekeeping permit.

E. State Registration

All beekeepers must register their Apiary with the State of Illinois Department of Agriculture.

20-11-3: HIVE TYPE

All Honey Bee colonies shall be kept in Langstroth-Type Hives which shall be kept in sound and usable condition.

20-11-4: MAINTENANCE

A. Apiary Maintenance

Beekeepers shall keep all beekeeping equipment in good condition and secure unused equipment from weather, potential theft, vandalism or occupancy by migratory colonies.

Beekeepers shall ensure that no bee comb, wax or other materials are left upon the grounds of the apiary site. Beekeepers shall promptly store or dispose of any bee comb, wax or other materials which have been removed from the hive in a sealed container or within a building or other bee-proof enclosure.

B. **Water**

Beekeepers shall ensure that a convenient source of water is available within the Apiary to the bees at all times. A water supply is not required during winter months and other inactive months. The water source must be maintained so as to not create a breeding site for mosquitoes.

C. **Colony Maintenance**

Beekeepers shall monitor and maintain their colony or colonies so as not to become a nuisance. Colonies must be monitored on a minimum every other week from March 1 to November 30.

D. **Maintenance Records**

Beekeepers shall maintain records of colony maintenance and monitoring. Beekeepers shall produce those records to the Director of Public Health upon request.

20-11-5: HIVE LOCATION

A. **Ownership of Property**

No Apiary shall be located on Underdeveloped Property or on property owned, occupied or under the legal control of another person or entity.

B. **Distance from Property Line**

Bee hives shall be kept a minimum of five (5) feet from all property lines.

20-11-6: FENCING AND FLYWAYS

Bee hives must have a flyway barrier located at least 10 feet in front of the entrance to the hive. The flyway barrier shall consist of a solid wall, fence or dense vegetation at least six (6) feet in height. The flyway barrier shall extend ten (10) feet beyond the hive(s) so that the bees are forced to fly up to an elevation of at least six (6) feet over the property line.

The Apiary shall be enclosed on all sides by a fence, dense vegetation or a combination thereof at least five (5) feet in height. The entrance to the Apiary shall have a latched gate which shall be closed at all times when the beekeeper is not present.

20-11-7: NOTICE

Beekeepers shall conspicuously post a prominent weather-proof sign on the outside of the latched gate with the statement "Warning – Beehives on Property."

20-11-8: BEE ALLERGY REGISTRATION

The Department of Public Health shall maintain a bee allergy registration. Residents who have a certified anaphylaxis to bee stings, documented by a licensed physician, may notify the Department of Public Health to place their name and address on the bee allergy registration. The Department of Public Health will maintain a list of addresses of residents with certified anaphylaxis in addition to the physician documentation and will not issue a beekeeping permit for an Apiary within 150 feet of any address on the bee allergy registration. The Department of Public Health will update the bee allergy registration list on an as needed basis.

20-11-9: COLONY DENSITIES

Beekeepers shall not keep more than two (2) colonies on any property.

20-11-10: VIOLATIONS / PENALTY

No person may keep bees except as permitted in this Article. Any person violating any provision of this Article shall be fined in accordance with Section 1-1-5 of this Code. In addition to any penalty imposed, the Village may, in its discretion, revoke any beekeeping permit, and refuse to issue a new permit to any person found to be in violation of this code, or to any other person living on the property where the violation occurred.

SECTION THREE: That Chapter 16, Article 1, Section 4 entitled "Schedule of Nuisances Generally" shall be amended so that Subsection Q reads as follows:

Q. The maintenance of bee hives in violation of Chapter 20, Article 11.

THIS ORDINANCE shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 28th day of November 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 28th day of November 2011.

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

C(1)

VILLAGE OF OAK PARK AGENDA ITEM COMMENTARY


Item Title: Ordinance for the Levy and Assessment of \$30,595,533 in Property Taxes for the Fiscal Year Beginning January 1, 2011 and Ending December 31, 2011 of the Village of Oak Park, County of Cook, State of Illinois.

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011

Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, and History): On an annual basis during the budget process, the Village staff calculates the revenue needs for all funds of the Village. In the case of funds fully or partially funded from property taxes, State law requires that property taxes are calculated after considerations of all other funding sources have been reviewed.

Item Policy Commentary (Key Points, Recommendation, and Background):

- The 2011 Village levy (General and Debt) will increase \$799,021 from the 2010 Extended Levy. This increase is exclusively due top debt service.
- The Police Pension is decreasing by \$568,832
- The Fire Pension is decreasing by \$272,285
- The Library levy is increasing by \$286,441.

The following is a summary of the tax funds:

TAX LEVY SUMMARY

<u>Fund No.</u>	<u>Fund Name</u>	<u>To Be Raised by</u> <u>Tax Levy</u>
1001	General Fund	\$12,031,741
5022	Police Pension Fund	3,477,963
5023	Firemen's Pension Fund	2,955,916
3025	Bond and Interest	3,500,218
3036	Public Library Fund	<u>8,629,965</u>
Total Tax Levy		\$30,595,533

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY
Page 2

Item Budget Commentary: The Police and Fire Pension levies are collected by the Cook County Treasurer and paid directly into those funds held at US Bank. They have no impact on the overall operational budget of the Village.

The Library levy is also collected by the Cook County Treasurer remitted to their account. The Library is then required to transfer money to the Village in order to pay the debt service on their behalf.

The Debt Service levy is collected by the Cook County Treasurer and paid directly into those funds held at US Bank. The Village then wires the money to Seaway Bank when payments are due, who then makes payments directly to holders of general obligation (G.O.) debt.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE
FOR THE LEVY AND ASSESSMENT OF \$30,595,533 IN PROPERTY
TAXES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011
AND ENDING DECEMBER 31, 2011 OF THE VILLAGE OF OAK PARK
COUNTY OF COOK, STATE OF ILLINOIS**

(2011 Tax Levy)

BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois:

SECTION 1: That the total budget for all corporate purposes legally made to be collected from the tax levy of the fiscal year beginning January 1, 2011 and ending December 31, 2011 is hereby ascertained to be the sum of Thirty-Million, Five Hundred Ninety Five Thousand, Five Hundred Thirty-Three Dollars **(\$30,595,533)**.

SECTION 2: That the sum of Thirty-Million, Five Hundred Ninety Five Thousand, Five Hundred Thirty-Three Dollars **(\$30,595,533)** being the total of budgets heretofore legally made which are to be collected from the tax levy of the fiscal year of the Village of Oak Park for all corporate purposes of said Village of Oak Park, for purposes of providing for a Police Pension Fund, Firemen's Pension Fund, Public Library Fund, Bond and Interest Fund, and General Fund, as budgeted for the fiscal year by annual budget ordinance of the Village of Oak Park for the year 2011, passed by the President and Board of Trustees of said Village at the legally convened meeting of November 28, 2011 as amended, be, and the same is hereby levied upon all of the taxable property in the Village of Oak Park subject to taxation for the current year, the specific amounts as levied for the various funds heretofore named being included herein by being placed in separate columns under the heading "To Be Raised by Tax Levy" which appears over the same, the tax so levied being for the current fiscal year of said Village, and for said budget to be collected from said tax levy, the total of which has been ascertained as aforesaid and being as follows:

TAX LEVY SUMMARY

Fund No.	Fund Name	To Be Raised by Tax Levy
1001	General Fund	\$12,031,741
5022	Police Pension Fund	3,477,963
5023	Firemen's Pension Fund	2,955,916
3025	Bond and Interest	3,500,218
3036	Public Library Fund	8,629,965
Total Tax Levy		\$30,595,533

PAGE 2

SECTION 3: That the total amount of Thirty-Million, Five Hundred Ninety Five Thousand, Five Hundred Thirty-Three Dollars (**\$30,595,533**) ascertained as aforesaid, be, and the same is hereby levied and assessed on all property subject to taxation within the Village of Oak Park according to the value of said property as the same is assessed and equalized for State and County purposes for the current year.

SECTION 4: This levy Ordinance is adopted pursuant to the procedures set forth in the Illinois Municipal Code, provided, however any tax rate limitation or any other substantive limitations as to tax levies in the Illinois Municipal Code, Revenue Act or other statute in conflict with this Ordinance shall not be applicable to this Ordinance pursuant to Section 6 of Article VI of the Constitution of the State of Illinois.

SECTION 5: That there is hereby certified to the County Clerk of Cook County, Illinois, the several sums aforesaid, constituting said total amount of Thirty-Million, Five Hundred Ninety Five Thousand, Five Hundred Thirty-Three Dollars (**\$30,595,533**) which said total amount the said Village of Oak Park requires to be raised by taxation for the current fiscal year of said Village, and the Village Clerk, of said Village, is hereby ordered and directed to file with the County Clerk of said County on or before the time required by law, a certified copy of this Ordinance.

SECTION 6: That the components of the Bond and Interest tax levy amount are listed below:

Bond Issue	2011 Levy	Abatement	Final 2011 Levy
2004A G.O. Bond	700,463	0	700,463
2004B G.O. Bond	763,050	299,893	463,157
2004D G.O. Bond	416,900	0	416,900
2005A G.O. Bond	777,398	94,221	683,177
2006A G.O. Bond	284,113	192,015	92,098
2006B G.O. Bond	500,000	0	500,000
2007 G.O. Bond	121,850	0	121,850
2007 A G.O. Bond	632,200	467,828	164,372
2010 A G.O. Bond	1,860,300	1,860,300	0
2010 B G.O. Bond	1,586,693	1,586,693	0
2010 C G.O. Bond	1,634,250	1,276,049	358,201
2011A G.O. Bond	685,810	685,810	0
2011 B G.O. Bond	200,060	200,060	0
Total	\$10,163,087	\$6,662,869	\$3,500,218

PAGE 3

SECTION 7: In case of a vacancy in any office specified in this Ordinance, the Head of the Department in which any such vacancy occurs, shall not be required to fill such office, if, in his judgement or discretion there is no necessity therefore.

SECTION 8: By a vote of 2/3 of the President and Board of Trustees, this Levy Ordinance may be revised by deleting, adding to, changing or creating new objects or purposes for which levies have or may be made.

SECTION 9: The Village certifies that all requirements of the "**Truth-in-Taxation Act**" law have been complied with.

SECTION 10: Notice of the Public Hearing related to the proposed 2011 Tax Levy was duly published and the hearing occurred on October 24th as published.

SECTION 11: This Ordinance shall take effect and be in full force and effect immediately on and after its passage and approval.

ADOPTED this 28th day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this ____ day of **November 2011**.

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011.

Teresa Powell
Village Clerk

TRUTH IN TAXATION CERTIFICATE OF COMPLIANCE

I, David G. Pope, hereby certify that I am the presiding officer of the Village of Oak Park, Illinois, and as such presiding officer I certify that the levy ordinance # 2011-O-_____, was adopted pursuant to, and in all respects in compliance with the provisions of the Illinois Property Tax Code – Truth in Taxation Law, 35 ILCS 200/18-60 through 18-85(2002).

This certificate applies to the 2011 levy.

Dated: November _____, 2011

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

CERTIFICATION OF TAX LEVY ORDINANCE

VILLAGE OF OAK PARK, ILLINOIS

The undersigned, duly elected, qualified and acting Clerk of the Village of Oak Park, Cook County, Illinois, does hereby certify that the attached is a true and correct copy of the Tax Levy Ordinance of said Village for the fiscal year beginning January 1, 2011, and ending December 31, 2011 as adopted on **November 28, 2011**.

This certification is made and filed pursuant to the requirements of the Illinois Compiled Statutes as well as to assure the County Clerk that there has been compliance by and on behalf of the Village of Oak Park, Cook County, Illinois, of all statutory requirements of the "Truth in Taxation Act" including but not limited to Division 2.1 entitled "Cook County Truth in Taxation."

Dated this _____ day of November 2011.

Teresa Powell
Village Clerk

Filed this _____ day of December 2011

Cook County Clerk

C(5)

VILLAGE OF OAK PARK AGENDA ITEM COMMENTARY


Item Title: Ordinance Providing for the Partial Abatement of \$299,893 of the 2011 Tax Levy for the Series 2004B General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011


Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, the 2004B bonds contributed funds to two major sources; the Village's CIP Fund and to the Village's Water Fund for various capital improvements. The amount being abated is for the water project related debt service and have been incorporated into the 2011 Water Fund and Sewer Fund budgets.

Item Policy Commentary (Key Points, Recommendation, Background): There are levies on this bond issue through the 2023 levy year.

Item Budget Commentary: The original levy amount for this issue is \$763,050. With this abatement of \$299,893 from water and sewer funds, the net amount of \$463,157 will be extended onto the 2011 tax levy.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR PARTIAL ABATEMENT OF
\$299,893 OF THE 2011 TAX LEVY**

(General Obligation Bonds, Series 2004B)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2004B General Obligation Bonds, in the amount of \$11,500,000; and,

WHEREAS, a total of \$299,893 is available in the Water Fund of the Village of Oak Park to pay the principal and interest of said bond issue.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$763,050** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$299,893** so that the final levy for 2011 for said bonds will be **\$463,157**.

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this **28th** day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk

C(6)

VILLAGE OF OAK PARK

AGENDA ITEM COMMENTARY

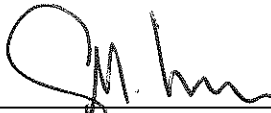
Item Title: Ordinance Providing for the Partial Abatement of \$94,221 of the 2011 Tax Levy for the Series 2005A General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011


Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, the 2005A bonds contributed funds to two major sources; the Village's resurfacing of Madison Street and the initial contribution towards the construction of the Public Works facility. The amount being abated is for the water project related debt service and have been incorporated into the 2012 Water Fund and Sewer Fund budgets.

Item Policy Commentary (Key Points, Recommendation, Background): There are levies on this bond issue through the 2024 levy year.

Item Budget Commentary: The original 2011 levy amount for this issue is \$777,398. With this abatement of \$94,221 from water and sewer funds, the net amount of \$683,177 will be extended onto the 2011 tax levy.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR PARTIAL ABATEMENT OF
\$94,221 OF THE 2011 TAX LEVY**

(General Obligation Bonds, Series 2005A)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2005A General Obligation Bonds, in the amount of \$5,195,000; and,

WHEREAS, a total of \$94,221 is available in the Water Fund of the Village of Oak Park to pay the principal and interest of said bond issue.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$777,398** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$94,221** so that the final levy for 2011 for said bonds will be **\$683,177**.

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this 28th day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

Page 2 – Partial Abatement of 2005A G.O. Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011.

Teresa Powell
Village Clerk

C(7)

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

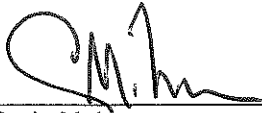
Item Title: Ordinance Providing for the Partial Abatement of \$192,015 of the 2011 Tax Levy for the Series 2006A General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011


Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, the 2007A bonds contributed funds to two major sources; the Village's initial funding of the Village Board's catalyst projects in various business districts and the remaining funding contribution towards the construction of the Public Works facility.

Item Policy Commentary (Key Points, Recommendation, Background): There are levies on this bond issue through the 2025 levy year. Proportionate contributions from both the water/sewer and capital improvement funds were established at the time of the sale of the bonds and are included as expenditures in those funds for 2012.

Item Budget Commentary: The original 2011 levy amount for this issue is \$284,113. With these abatements of \$192,015 from the water and sewer funds, a net amount of \$92,098 will be extended onto the 2011 tax levy.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR PARTIAL ABATEMENT OF
\$192,015 OF THE 2011 TAX LEVY**

(General Obligation Bonds, Series 2006A)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2006A General Obligation Bonds, in the amount of \$5,000,000; and,

WHEREAS, a total of \$192,015 is available in the Water Fund and Sewer fund of the Village of Oak Park to partially pay the principal and interest of said bond issue.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$284,113** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$192,015** so that the final levy for 2011 for said bonds will be **\$92,098**.

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this 28th of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

Page 2 – Partial Abatement of 2006A G.O. Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk

C(8)

VILLAGE OF OAK PARK

AGENDA ITEM COMMENTARY

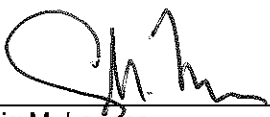
Item Title: Ordinance Providing for the Partial Abatement of \$467,828 of the 2011 Tax Levy for the Series 2007A General Obligation Refunding Bonds

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011

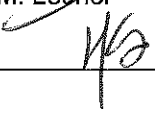
Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, the purpose of these general obligation refunding bonds sold on November 5, 2007 was to abate remaining portions of the Series 2000 and 2001 bonds that had been originally issued for the benefit of the new construction of the Oak Park Library (totaling \$15,000,000) and the Dole Learning Center construction costs (\$1,000,000). Due to market conditions, the Village took advantage of \$272,601 in present value savings as it refunded portions of the remaining debt in those two issues.

Item Policy Commentary (Key Points, Recommendation, Background): There are levies on this bond issue through the 2019 levy year. Funds from the Library's Operating Fund levy will fund the annual debt service. The remaining portion (\$164,372) is the Village's share of the debt related to the Dole Learning Center and is designated to be paid from the Village's property tax levy.

Item Budget Commentary: The total 2011 levy amount for this issue is \$632,200. With this abatement of \$467,828, a net amount of \$164,372 will be extended in the 2011 tax levy for this issue.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR PARTIAL ABATEMENT
OF \$467,828 OF THE 2011 TAX LEVY**

(2007A General Obligation Corporate Purpose Refunding Bonds)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2007A General Obligation Corporate Purpose Refunding Bonds in the amount of \$7,300,000; and,

WHEREAS, \$467,828 is available from the Oak Park Public Library to pay its share of the principal and interest of said bond issue that was to be paid from the proceeds of the 2011 tax levy.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$632,200** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$467,828** so that the final levy for 2011 for said bonds will be **\$164,372**.

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this 28th day of **November 2011** pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**

David G. Pope
Village President

Page 2 – Partial Abatement of 2007A G.O. Refunding Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk

C(9)

VILLAGE OF OAK PARK AGENDA ITEM COMMENTARY


Item Title: Ordinance Providing for the Abatement of \$1,860,300 of the 2011 Tax Levy for the Series 2010A General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011

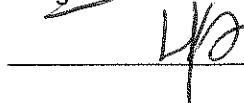
Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, these general obligation bonds were for the construction of the third and final phase of the new Oak Park Public Library. As discussed during the borrowing process, so that the library debt is accurately reflected on the Cook County property tax bills, the Village is increasing the Library's corporate levy by the equivalent amount of the annual debt service of the Library portion of the debt. The Village, in turn, annually abates the Village's portion of the debt service by the same amount and utilizes library funds to pay the debt service.

Item Policy Commentary (Key Points, Recommendation, and Background): There are levies on this bond issue through the 2015 levy year. Funds from the Library's Operating Fund levy will fund the annual debt service.

Item Budget Commentary: The total 2011 levy amount for this issue is \$1,860,300. With this abatement, the entire amount will be funded from the library operating fund levy and reflected in the library's portion of the Village tax bill.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR ABATEMENT OF
\$1,860,300 OF THE 2011 TAX LEVY**

(2010A General Obligation Corporate Purpose Bonds)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2010A General Obligation Corporate Purpose Bonds in the amount of \$10,330,000; and,

WHEREAS, \$1,860,300 is to be made available from the Oak Park Library for the Village of Oak Park to pay the 2011 tax levy.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$1,860,300** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$1,860,300**, so that the final levy for 2011 for said bonds will be zero (**\$0**).

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this 28th day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

Page 2 - Abatement of 2010A Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk

C(10)

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

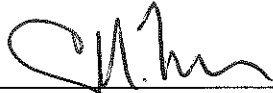
Item Title: Ordinance Providing for the Abatement of \$1,586,693 of the 2011 Tax Levy for the Series 2010B General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action **November 28, 2011**


Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, these general obligation bonds were issued on behalf of the DTOP TIF to refinance the purchase of the Colt and Westgate properties. The Village, in turn, annually abates the Village's portion of the debt service by the same amount and utilizes TIF funds to pay the debt service.

Item Policy Commentary (Key Points, Recommendation, and Background): There are levies on this bond issue through the 2014 levy year. Funds from the DTOP TIF will fund the annual debt service.

Item Budget Commentary: The total 2011 levy amount for this issue is \$1,586,693. With this abatement, the entire amount will be funded from the TIF fund.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR ABATEMENT OF
\$1,586,693 OF THE 2011 TAX LEVY**

(2010B General Obligation Corporate Purpose Bonds)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2010B General Obligation Corporate Purpose Bonds in the amount of \$7,695,000; and,

WHEREAS, \$1,586,693 is to be made available from the Downtown Oak Park Tax Increment Fund for the Village of Oak Park to pay the principal and interest of said bond issue that was to be paid from the proceeds of the 2011 tax levy.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$1,586,693** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$1,586,693**, so that the final levy for 2011 for said bonds will be zero (**\$0**).

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this **28th** day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

Page 2 - Abatement of 2010B Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk

C(11)

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

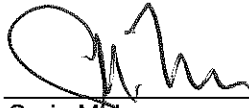
Item Title: Ordinance Providing for the Abatement of \$1,276,049 of the 2011 Tax Levy for the Series 2010C General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action **November 28, 2011**

Staff Review:

Chief Financial Officer



Craig M. Lesner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, these general obligation bonds were issued on behalf of the Parking, Water and Sewer funds to pay for capital improvements. The Village, in turn, annually abates the Village's portion of the debt service by the same amount and utilizes these enterprise funds to pay the debt service.

Item Policy Commentary (Key Points, Recommendation, and Background): There are levies on this bond issue through the 2022 levy year. Funds from the Parking, Water and Sewer funds will be used to pay the debt service

Item Budget Commentary: The total 2011 levy amount for this issue is \$1,634,250. With this abatement, all but \$358,201 will be funded from the enterprise funds.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR ABATEMENT OF
\$1,276,049 OF THE 2011 TAX LEVY**

(2010C General Obligation Corporate Purpose Bonds)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2010C General Obligation Corporate Purpose Bonds in the amount of \$13,315,000; and,

WHEREAS, \$1,276,049 is to be made available from the Parking Fund for the Village of Oak Park to pay the principal and interest of said bond issue that was to be paid from the proceeds of the 2011 tax levy.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$1,634,250** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$1,276,049**, so that the final levy for 2011 for said bonds will be **\$358,201**.

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this 28th day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

Page 2 - Abatement of 2010C Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk

C(12)

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

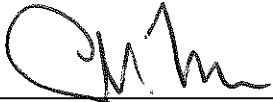
Item Title: Ordinance Providing for the Abatement of \$685,810 of the 2011 Tax Levy for the Series 2011A General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011

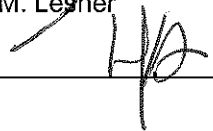
Staff Review:

Chief Financial Officer



Craig M. Leiner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, these general obligation bonds were issued on behalf of the DTOP TIF finance the South Marion streetscape. The Village, in turn, annually abates the Village's portion of the debt service by the same amount and utilizes TIF funds to pay the debt service.

Item Policy Commentary (Key Points, Recommendation, and Background): There are levies on this bond issue through the 2019 levy year. Funds from the DTOP TIF will fund the annual debt service.

Item Budget Commentary: The total 2011 levy amount for this issue is \$685,810 with this abatement, the entire amount will be funded from the TIF fund.

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR ABATEMENT OF
\$685,810 OF THE 2011 TAX LEVY**

(2011 A General Obligation Corporate Purpose Bonds)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2011 A General Obligation Corporate Purpose Bonds in the amount of \$4,900,000; and,

WHEREAS, \$685,810 is to be made available from the Downtown Oak Park Tax Increment Fund for the Village of Oak Park to pay the principal and interest of said bond issue that was to be paid from the proceeds of the 2011 tax levy.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$685,810** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$685,810**, so that the final levy for 2011 for said bonds will be zero (**\$0**).

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this **28th** day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

Page 2 - Abatement of 2011 A Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

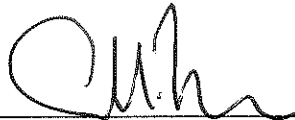
Item Title: Ordinance Providing for the Abatement of \$200,060 of the 2011 Tax Levy for the Series 2011B General Obligation Bonds

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011

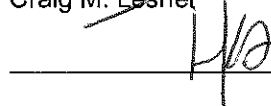
Staff Review:

Chief Financial Officer



Craig M. Leshner

Village Manager's Office



Item History (Previous Board Review, Related Action, History): On an annual basis, the Village staff recommends the abatement or cancellation of various tax levies that were originally pledged to pay the debt service of a specific bond issue. In this case, these general obligation bonds were issued to fund the underground portion of the South Marion streetscape (water and sewers) and refinance the 2004B GO Bonds. The Village, in turn, annually abates the Village's portion of the debt service by the same amount and utilizes these other sources funds to pay the debt service.

Item Policy Commentary (Key Points, Recommendation, and Background): There are levies on this bond issue through the 2023 levy year. Funds from the CIP, water and sewer will cover the costs.

Item Budget Commentary: The total 2011 levy amount for this issue is \$200,060 with this abatement; will be zero (\$0).

Proposed Action: Adopt the Ordinance.

**AN ORDINANCE PROVIDING FOR ABATEMENT OF
\$200,060 OF THE 2011 TAX LEVY**

(2011 B General Obligation Corporate Purpose Bonds)

WHEREAS, the Village of Oak Park, a municipal corporation, has heretofore issued its 2011 B General Obligation Corporate Purpose Bonds in the amount of \$5,030,000; and,

WHEREAS, \$200,060, is to be made available from the Capital Improvement and Water Funds for the Village of Oak Park to pay the principal and interest of said bond issue that was to be paid from the proceeds of the 2011 tax levy.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois as follows:

SECTION 1: That the tax levy of **\$200,060** to be extended for the year 2011 for the purpose of paying the principal and interest of said Bonds is hereby reduced and abated by **\$200,060**, so that the final levy for 2011 for said bonds will be zero (**\$0**).

SECTION 2: That a certified copy of this Ordinance is to be filed forthwith with the County Clerk of Cook County, Illinois.

SECTION 3: That this Ordinance shall be in full force and affect from and after its adoption as provided by law.

ADOPTED this **28th** day of **November 2011**, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this _____ day of **November 2011**.

David G. Pope
Village President

Page 2 - Abatement of 2011 B Bonds

ATTEST:

Teresa Powell
Village Clerk

Published by me in pamphlet form this _____ day of November, 2011

Teresa Powell
Village Clerk



D

Date: November 22, 2011

To: President Pope and Village Board of Trustees

Fr: Tom Barwin, Village Manager

Re: Summary of Reinventing Committee Review of Law Depart & Recommendation

Background

In most local governments, including the Council - Manager form of municipal government, the municipal Law Department serves the elected board by primarily advising the board on legal matters related to litigation, policy and legislative initiatives.

The Law Department also serves the Village Administration related to advising on legal matters related to the day to day operations of the Village and the enforcement of village codes, labor contracts while also advising on other unique circumstances or needs that may arise from time to time.

For the past year, even prior to long time Village Attorney Ray Heise's retirement, the reinventing government committee had been reviewing the law department management, operations and case load for an understanding of costs, effectiveness, efficiencies and approach to risk management.

With the June, 2011 retirement of Village Attorney Ray Heise, the committee's work proved to be timely. The committee has continued its work since July with a goal of utilizing its insights into the operations of the law department, toward crafting options and a recommendation to fill the Village Attorney's position in light of Mr. Heise's retirement. This dialogue and analysis has been undertaken as a collaborative effort with the Village Manager's Office again noting the Village Attorney has both a policy-legislative role and an operational role in village government.

During this transition period, Assistant Village Attorney Simone Boutet has served admirably as Acting Village Attorney and has been a valuable resource to the reinventing government committee and Village Manager's Office.

Ms. Boutet has assumed a considerable work load and has been encouraged during this transition period to utilize outside attorneys when necessary to make up for the department being an attorney short.

It should also be noted that former Village Attorney Heise has also been retained by the board to help complete a number of complicated assignments he had been working on prior to his

retirement, and is now approaching the upper limits of his contracted hours under his current organizational status.

Summary of Committee Research

Research into the costs and operations of the Oak Park Law Department indicated total legal services costs (in house costs combined with contracted costs) are running on the upper tier of costs compared with similar sized communities in the Chicago suburban area.

With that said, it should be acknowledged that Oak Park may be a bit more complicated and active in policy initiatives than some of our peer or comparable communities. Oak Park has also had a good track record of defending cases and prevailing in court and various labor settings, which are positives the Village must continue to expect and emphasize.

Additional research also indicated the continuing trend of most comparable communities to outsource most if not all of their legal services needs. Committee members noted that it appears all other Oak Park government's contract for legal services and anecdotally appear to be satisfied with those services.

The areas both the reinventing government committee and staff highlighted as areas upon which the future leadership of the Law Department and Village Manager's Office must focus on and achieve are:

- a) The general timeliness of responses to board initiatives or reporting and progress toward board directed initiatives (or lack thereof) or impediments to progress.
- b) Improved timeliness in the Law Department's inter-action with staff and/or coordination of labor and employee discipline matters requiring legal review input.
- c) Regular and ongoing reporting to the board on the status of ongoing litigation cases, including the costs and status of each case to date.
- d) Improved risk management coordination and training throughout village operations.

Recommendation

Based on the Law Department review underway over the previous year, supplemented by the recent research described above, the recommendation from the joint Village Manager's Office - Reinventing Government Committee is to solicit combined Requests for Qualifications and Proposals from experienced municipal law firms (including the village's current legal services advisors) for the following legal services:

1. General Municipal
2. Labor
3. Tax Increment Finance
4. Planning/Zoning
5. Finance
6. Traffic Court - Adjudication

The committee felt the Village should be open to one firm being selected for all services but also open to selecting the best firm(s) based on experience, effectiveness and price competitiveness for each area of specialization.

Upon screening firms for qualifications, proposals shall be considered from the best qualified firms, and a short list of qualified firms will be developed by the Village Manager's Office, with board involvement as designated by the board, with the final 2 or 3 firms for general municipal and labor to be interviewed by the full board in early 2012.

Contracts for firms chosen to represent the village shall be reviewed on an annual basis by the Village Manager's office and Board.

Long range decisions on the calibration, size and scope of the in house Law Department and staff responsibilities will be reviewed and assessed throughout the ongoing transition process and coordinated with contracted legal services based on both in house and contracted service capabilities and village needs.

VILLAGE OF OAK PARK

E

CITIZEN ADVISORY BOARD AND COMMISSION

AGENDA ITEM COMMENTARY

Item Title: Motion to approve Zoning Ordinance Text Amendments relative to Roosevelt Road Form-Based Zoning Overlay and general landscape regulations relative to screening outdoor storage areas, and direct staff to prepare the necessary documents.

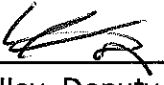
Resolution or Ordinance No. _____

Date of Board Action: Monday, November 28, 2011

Submitted by: Linda M. Bolte, Plan Commission Chairperson

Staff Liaison & Review: Craig Failor, Village Planner

Department Director Name: 
Craig Failor, Village Planner

Village Manager's Office: 
Lisa Shelley, Deputy Village Manager

Citizen Advisory Board or Commission Issue Processing (Dates of Related Commission Meetings): Several Zoning Ordinance text amendments were referred to the Plan Commission by the Village Board of Trustees at their June 20, 2011 meeting.

Amending the Roosevelt Road Form-Based Zoning Overlay District and Landscape regulations relative to fences and walls associated with outdoor equipment and material storage yards. Staff proposes to amend the Roosevelt Road Form-Based Zoning Overlay District relative to fences and walls associated with outdoor equipment and material storage yards. Staff wants ensure appropriate enclosures are constructed for storage yards as well as appropriate landscaping to soften the appearance of the fence along the street is in place.

At their September 6, 2011 Village Board meeting, the Trustees remanded back this text amendment for further consideration by the Plan Commission relative to additional requirements for screening storage yards from public view. The Plan Commission met on September 15, 2011 to again review the text amendment.

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):
Amending the Roosevelt Road Form-Based Zoning Overlay District and Landscape regulations relative to fences and walls associated with outdoor equipment and material storage yards. The Plan Commission supports this request as amended.

Staff Commentary (If applicable or different than Commission): Staff agrees with the Plan

Commission's recommendations.

Item Budget Commentary: (Account #; Balance; Cost of contract) No financial impact.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

Amending the Roosevelt Road Form-Based Zoning Overlay District and Landscape regulations relative to fences and walls associated with outdoor equipment and material storage yards. The alternate would be to deny this request. It would not impact the current screening requirements of outdoor equipment/storage yards, but it would provide better screening, especially from a public view perspective.

Proposed Recommended Action: Accept the Plan Commission's recommendation and findings of fact as proposed and direct staff to prepare the necessary documents for adoption of Zoning Ordinance text amendments at a subsequent Village Board meeting.

Att- Findings of Fact, Public Correspondence, Draft Minutes

October 20, 2011

President and Board of Trustees
Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302

Re: Six Proposed Text Amendments To The Zoning Ordinance

Dear Trustees:

In early July 2011, you referred certain proposed amendments to the text of the Zoning Ordinance to the Plan Commission, ("Commission"), sitting pursuant to the Commission's jurisdiction conferred by Section 2.1.3(B)(2) of the Village Zoning Ordinance, for a public hearing.

In general, these proposed amendments pertained to adding a requirement in the Roosevelt Road Form-Based Zoning Overlay District relative to fences and walls associated with outdoor equipment and material storage yards. On August 25, 2011, the Plan Commission sent the Village Board findings related to these fence-related amendments. However, the Village Board returned the text amendments to the Plan Commission for consideration of issues to consider including further regulation regarding fence appearance. The Village Board wished the Plan Commission to extend the proposed text amendment fence

regulations relative to all street frontages, not just the front (for those cases where an outdoor storage facility is on a corner lot), and along a side yard where it may be exposed to public view.

On July 6, 2011, legal notice was published in *The Wednesday Journal*, a newspaper of general circulation in the Village of Oak Park, scheduling a public hearing on the Village's proposed text amendments before this Commission on July 21, 2011. The Business Advisory Council (BAC), "The Avenue Business District," and the Marion Street Business District, were also notified of all the proposed text amendments.

Pursuant to the returned amendment, this Commission held a continued public hearing on September 15, 2011, at which time a quorum of the Commission was present. The Commission heard additional testimony and took additional evidence relative to the proposed changes on September 15, 2011.

Having heard and considered the testimony and evidence at the public hearings, the Commission makes the following findings and recommendations:

FINDINGS OF FACT AND RECOMMENDATIONS

1. The Applicant, the Village of Oak Park, is an Illinois municipal corporation and a home rule unit of local government.

AMENDMENT 6
Roosevelt Road Form-Based Overlay District -- Fences

2. The Village has proposed amending the Roosevelt Road Form-Based Zoning Overlay District and amending the landscape materials, quality and maintenance requirements, relative to fences and walls associated with outdoor equipment and material storage yards.

3. Staff testified that the Village wanted to ensure appropriate enclosures are constructed for storage yards as well as appropriate landscaping to soften the appearance of the fence along the street is in place.

4. Commissioners questioned whether the Village could legislate “professional” appearance of a fence, and opted to exclude this wording in their recommendation.

5. The Village Board questioned whether the purpose of the proposed amendments would better be served if the required fencing would enclose all sides of a storage lot visible by the public.

6. The Plan Commission questioned whether there would be a consistent way to enforce or interpret “visible by the public,” and instead found that requiring complete enclosure of all sides would be a better option for the best interests of Village residents and businesses. Village Staff advised the Plan Commission that other municipalities in the area require this type of complete enclosure of storage lots.

7. Because of the complete nature of the proposed enclosure requirement, the Plan Commission also wished to extend the enclosure and materials requirements to apply to gates or “access points” for storage lots.

Recommendation

Section 3.9.8L.7b of the Village Zoning Ordinance entitled “Fences and Walls” is recommended to be amended to read as follows:

7. Fences and Walls

- a. Where the underlying zoning establishes standards for fences and wall, the structure provisions of this Section or the underlying zoning will apply.
- b. Fences or walls may not exceed 5 feet in height ~~*except that fences and walls associated with light industrial operations (including outdoor storage facilities) may not exceed 6 feet in height and must be opaque, with a setback of 3 feet from the front walkway for the installation of vegetation (shrubs), except that an opaque fence or wall, enclosing the entire storage lot, 6 feet in height, constructed of wood or masonry materials with a finished appearance, shall be erected parallel to and set back 3 feet from the front lot line and corner side yard line of all permitted outdoor equipment and material storage yards. The 3 foot area between the front lot line and the fence, and the corner side yard line and the fence shall be landscaped and maintained with bushes or shrubs and groundcover. All exterior points of access through the required fencing must also include a gate of like material and height.*~~

Section 6.4.5H of the Village Zoning Ordinance entitled "Fences and Walls" is recommended to be amended by adding new subsection (H) to read as follows:

H. Fences and Walls

Fences or walls may not exceed 5 feet in height, except that an opaque fence or wall, enclosing the entire storage lot, 6 feet in height, constructed of wood or masonry materials with a finished appearance, shall be erected parallel to and set back 3 feet from the front lot line of all permitted outdoor equipment and material storage yards. The 3 foot area between the front lot line and the fence shall be landscaped and maintained with bushes or shrubs and groundcover. All exterior points of access through the required fencing must also include a gate of like material and height.

This recommendation for was adopted by
a ___ to ___ vote of the Plan
Commission, sitting as a Zoning

Commission, this ____ day of October,
2011.

MINUTES
OAK PARK PLAN COMMISSION
VILLAGE HALL- COUNCIL CHAMBERS
Sept. 15, 2011 – 7 p.m.

PRESENT: Chairperson Linda Bolte; Commissioners Mark Benson, Deborah Fausch, Douglas Gilbert (arrived at 7:07 p.m.), David Mann, Gail Moran, Susan Roberts, Steven Rouse

ALSO PRESENT: Craig Failor, Village Planner, Plan Commission Attorney Jacob Karaca

APPLICANTS: Rolando Acosta from Ginsberg Jacobs, LLC.; Michael MaRous from MaRous & Company

Chair Bolte called the meeting to order at 7 p.m. and roll was taken.

Chair Bolte congratulated Commissioner Moran on her reappointment to the commission. Chair Bolte indicated another appointment may be issued by the Village Board later this month.

Non-Agenda Public Participation
None.

Approval of Minutes
Commissioner Moran motioned to approve minutes from July 21, 2011. Commissioner Benson seconded. Motion approved upon corrections.

PC 11-04: Madison Street Overlay District Zoning Ordinance Text Amendment:
The Applicant seeks approval of proposed amendment to the Oak Park Zoning Ordinance by adding to Section 3.9.6(F)(2) – “f. Beauty Supply Stores shall not be located within 500 feet of one another or a similar use.” Chair Bolte moved to continue this hearing on Oct 20, 2011. Commissioner Rouse motioned, Commissioner Mann seconded. A roll call vote was taken:

- Rouse- yes
- Benson- yes
- Gilbert- yes
- Moran- yes
- Mann- yes
- Roberts- yes
- Fausch- yes
- Bolte- yes

Chair Bolte reconvened **PC 11-03: Lake and Forest Planned Development Ordinance Amendment**; The Applicant seeks to amend Plan Development Ordinance No. 2010-O-014. The applicant is proposing to remove the hotel and condominium components from the project and add up to 270 residential rental units as well as increasing the number of parking spaces from 510 to 588 spaces and modifying the exterior materials and use. The applicant is also seeking two allowances for Density and Parking. Chair Bolte explained the appraiser will present his report but there will be no cross-examination until October 6, 2011.

Mr. Acosta introduced Mr. Michael MaRous. Attorney Karaca swore in Mr. MaRous. Mr. MaRous said his company is a real estate appraisal and consulting firm with offices in Park Ridge, Illinois. Mr. MaRous explained he had over 35 years experience and had appraised over 10,000 properties. Mr. MaRous said he had done significant valuation work in the area and in similar areas involving transit-oriented, mixed use developments. Mr. MaRous said he was a past-president of the Chicago Chapter of the Appraisal Institute and sits on its national board. He said he was an 8-year alderman in Park Ridge and served as mayor for two years and was instrumental in their downtown, mixed-use redevelopment.

Mr. MaRous explained he was asked in this case to look at the change in use from a mix of hotel/condo into luxury apartments and small portion of retail. Mr. MaRous referenced his study, saying they looked at Village documents, the location, and sales transactions and considered the desirability of the residential area with the historic district to the north. He said they considered the desirability and synergistic nature of the commercial, mixed use and transit-orientated development. Mr. MaRous explained this information was summarized in his report.

Mr. MaRous said the reality of the market to do a structured condominium was virtually impossible to get financing and didn't make economic sense. Mr. MaRous explained some of the better-quality suburban new hotel developments had been financially bankrupt and had struggled with less than expected occupancy rates. He said all facets of the real estate market had been hurt; the better-located retail markets had done well. He said luxury or semi-luxury apartments had done well. Mr. MaRous said a real simple conclusion was the apartment market was relatively strong. He said he also looked at the impact of the proposed development and the previously approved development on the immediate neighborhood. He referenced his study, saying the retention value of the immediate neighborhood had been significantly higher than the rest of Oak Park as a whole. Mr. MaRous said there had been no negative impact.

Mr. MaRous explained his conclusion was the mass, size, and bulk hadn't really changed- just a change of use that was a more conservative, stable use. Mr. MaRous said the proposed development at Lake and Forest would be positive to the community and would not have a negative impact on immediate property values.

Commissioner Rouse asked if the development would impact potential mortgages in the area even if it wasn't built. Mr. MaRous replied in a desirable community where there's a

high reasonableness that the property will be developed any buyers' and sellers' lenders would anticipate that the development was a reality so that impact had already happened even though the building has not been built.

Commissioner Rouse asked about the similarities with Oak Park Place. Mr. MaRous replied it was a similar character, a luxury apartment building with relatively high rents, it was not identical but quite similar. Commissioner Rouse asked if there was a detailed analysis done of Oak Park Place and its effect on neighboring property values. Mr. MaRous replied he didn't do a detailed analysis but he looked at transactions in that immediate area and did not find a negative impact. Mr. MaRous said initially during construction there might be difficulties but they look at when it stabilizes and is completed. Commissioner Rouse asked if Oak Park Place was considered completed and Mr. MaRous replied virtually, yes. Commissioner Rouse asked if the asking price versus percentage sold analysis done for Oak Park Place surrounding properties was similar to the one done for the Lake and Forest property. Mr. MaRous replied for the subject immediate area it was 7% and Oak Park as a whole was 20%, and he believed the proposed area was somewhere in between but he didn't have the exact numbers with him.

Commissioner Moran asked if Mr. MaRous could go over the condominium analysis. Mr. MaRous replied the most compelling information was the transactional activity that was about two units per month, which for the size of the number of units in Oak Park, was nothing. Mr. MaRous explained for the previous development of 85 condo units it would take 40 months to sell those units. Mr. MaRous said the other issue was that many condos have been taken off the market and once the market improves there will be a quiet inventory that pops up. He said another issue was the average marketing time of 101 days on one end and another marketing time of 439 days. Mr. MaRous explained a structured building that had been improved takes a lot longer to sell and the price per foot becomes such that the prices become unattainable.

Commissioner Rouse asked about rental absorption rates in Oak Park. Mr. MaRous replied he believed there was a study done, but what struck him was the price per foot- in the mid-\$2 per foot- that they were achieving on rental, and that was exceptionally strong. Mr. MaRous said the condo market softening up had been beneficial because the apartment stock was typically single bathrooms, lower ceilings, no balconies with parking issues and that there was a demand for modern apartments. Mr. MaRous said widows, divorcees, snow birds were finding it a good alternative, so there was stable demand but none of the real estate markets were having exceptional absorption periods right now.

Commissioner Rouse asked how long would it take for absorption rates for the project to stabilize, assuming factors stay the same. Mr. MaRous said many more people would be willing to pre-lease an apartment from a model for three to six months in advance than they would be willing to buy a condo. Mr. MaRous believed it would take a year and a half after the building was virtually complete for absorption to stabilize. Mr. MaRous stated that the retail market had been extremely weak and he anticipated the retail could

take as long as the apartments even though it's considerably smaller, because it's more of a higher-risk unit and with retail mixed with residential you have limitations in use.

Commissioner Roberts asked about the different unit sizes, studio, one-bedroom, etc. and how successful they might be. Mr. MaRous replied the apartments will have smaller square footage than condos but there was demand for studios from younger people. Mr. MaRous said some people will be willing to take a smaller space in a building with more amenities and he believed the layout will be reasonable.

Commissioner Moran asked about the viability of three-bedroom apartments. Mr. MaRous believed it to be more limited, because those tenants at the rent levels could afford to buy. Mr. MaRous said the one and two-bedroom market was probably the strongest but there was demand for efficiencies and some demand for the bigger units where people don't want to own anything. Mr. MaRous clarified he had nothing to do with layout or design.

Chair Bolte asked if there was any information in favor of or in concern for apartments in a suburban-setting in a building this high. Mr. MaRous replied virtually all high buildings previously had been condominiums so there had been very few major products done in this vein; he referenced one in Oak Brook and one in Schaumburg, saying those had done very well. Chair Bolte asked if the transit services in Oak Park had an impact on the marketability of the project. Mr. MaRous replied it was very important and a transit-oriented development done well was the future.

Chair Bolte asked about Mr. MaRous' project in Park Ridge. Mr. MaRous explained the development was in the heart of downtown across from the Pickwick Theatre, it had a townhouse component on the west end and a mixed-use of retail and soft-loft condominiums. He said there was also a three-building complex with underground parking, more luxury condo units with retail on the ground floor with the aggregate value of \$120 million. Mr. MaRous said there were people who loved it and people who hated it but that it had done well.

Commissioner Gilbert asked what features make a unit classified as luxury. Mr. MaRous replied faster elevators, retail amenities, dedicated parking, higher ceilings, balconies, washer/dryer in unit, potential for higher-end cabinetry, hard surface countertops, upgrades in kitchen appliances, more storage space, the ability to have voice-data in the unit and the ability to control heating and air systems in unit.

Chair Bolte asked about the importance of balconies. Mr. MaRous replied it was a sense of freedom for certain tenants and the idea they can go outside and have coffee was important to them. He said certain tenants would be willing to pay more to get that, but it was a fine line because it added costs and some risk, but it was something the mid-range apartments don't have and the height gave views as well.

Commissioner Roberts asked if the size of the balconies matter versus just the concept of having outdoor space. Mr. MaRous replied it was the freedom and it becomes economic

November 3, 2011

reality how big you make them and he'd defer that question to the developer. He said a luxury condo would have significantly larger balconies but with apartments you don't want to price out of the market.

Commissioner Moran referred to the prior project's sky lounge amenity and asked Mr. MaRous if there could be an amenity proposal to include that for public benefit. Mr. MaRous replied that would be a design issue, but from an economic perspective of function and security there were some problems- for example in downtown Chicago various buildings have it but he could not think of condo or rental buildings that have something like that and he appreciated the idea but didn't think it was viable. Commissioner Moran clarified she's not suggesting the same thing, but looking for a viable alternative. Mr. MaRous said he hadn't discussed it with his client but maybe for a restaurant, but you'd have to have a separate elevator and control situation.

Chair Bolte asked if the idea was an unusual idea. Mr. MaRous replied there were buildings with upper decks and pools but not open to the public other than at hotels.

Chair Bolte established cross examination for Mr. MaRous on October 20.

Chair Bolte continued PC 11-03: Lake and Forest Planned Development Ordinance Amendment to October 6. Cross examination of the witnesses and public comment will be planned.

Chair Bolte moved to **PC 11-02: Zoning Ordinance Text Amendments; Zoning Ordinance Text Amendments to the Roosevelt Road Form Based Code Overlay District and Landscape Regulations of the Zoning Ordinance.**

Mr. Failor explained at the last Village Board meeting the text amendments that had been presented were approved, but one, that being the requirement for fencing on the Roosevelt Road Overlay District and throughout the Village was remanded back to the Plan Commission for further consideration. The trustees asked the Plan Commission to revisit the amendment because the amendment that was put forth only had restrictions on the front set-back. Mr. Failor said the concern was if there was a corner lot or a site like the one at Lake Street and Lombard where outdoor storage was exposed to a parking lot (public view), the trustees wanted to make sure that any sides that are exposed were also screened in the same fashion as the front façade. Chair Bolte asked if there was revised language. Mr. Failor said that was needed.

Commissioner Rouse asked if in the suggested language they would apply the same methodology for side yards as front yards. Mr. Failor agreed. Chair Bolte said currently the amendment said front lot line but could say front lot line and corner side yard. Commissioner Gilbert suggested adding "visible from the public way." Mr. Failor said it needed to include language that covered being able to see through landscaping. Commissioner Gilbert clarified in the Preservation Commission they didn't consider landscaping as permanent and although it might be obscured it wasn't considered covering or blocking something. Mr. Failor said that needed to be clear in the code.

Commissioner Fausch said there was a question about a side yard versus a back yard and a side yard versus an alley and whether the intent was to screen the whole thing. Mr. Failor replied that many municipalities require outdoor storage yards to be entirely screened. Commissioner Rouse asked if it was only commercial outdoor storage yards. Mr. Failor agreed. Commissioner Fausch suggested they say all sides must be screened.

Chair Bolte asked Attorney Karaca to read the current amendment. Commissioner Fausch suggested the front and corner sides should have three-foot setbacks with landscaping but not the other sides. Chair Bolte agreed. Attorney Karaca confirmed the changes. Commissioner Rouse motioned to approve the changes, Commissioner Moran seconded.

Commissioner Roberts asked if the storage areas would need a gate for access. Mr. Failor replied the gate would have to be the same opaque material, similar in appearance. Commissioner Moran suggested adding language indicating it could include an access point. Chair Bolte agreed. Commissioner Rouse motioned to amend his approval. Commissioner Moran seconded. Commissioner Moran disagreed on the term access point. Chair Bolte asked Attorney Karaca to consider the language and asked Mr. Failor to confer with the zoning administrator about the terminology. A roll call vote was taken on the fence:

Rouse- yes
Moran- yes
Gilbert- yes
Benson- yes
Mann- yes
Roberts- yes
Fausch- yes
Bolte - yes

Chair Bolte called for a break at 9 p.m.

The meeting resumed at 9:10 p.m.

Chair Bolte moved on to the Transit Overlay District. **PC 11-02: Zoning Ordinance Text Amendments**; Zoning Ordinance Text Amendments to the Roosevelt Road Form Based Code Overlay District and Landscape Regulations of the Zoning Ordinance.

Chair Bolte explained they re-opened the hearing on the extension to the Transit Overlay District because when they talked about it last time they added property that wasn't part of the original hearing and upon reflection they should have heard that in a public hearing as well. Mr. Failor explained he republished for the original notice and included the property that was recommended to be added, the south-east corner of Marion and Pleasant street.

Mr. Failor summarized the proposal saying the Village Board had authorized improvements to South Marion Street with the streetscaping and they were also looking at Oak Park Avenue and South Oak Park Avenue. He said one concern from the trustees was that they were concerned about the investment they were putting into the area and that they get a return on their investment. Mr. Failor said the Greater Downtown Plan suggested these areas should have some relationship to one another, recognizing there were different uses on both sides of the tracks, but bringing the Retail Overlay District to the south side on Marion and Oak Park would open up that retail district even more. Mr. Failor referred to a map that showed the boundaries proposed to expand that district. Mr. Failor said previously, the Plan Commission decided not to extend the district to the east on South Boulevard from Marion Street except for the Opera Club building, but keep the west extension to Harlem and add in the Mike Fox building to the south.

Mr. Failor said on the Oak Park Avenue district, the boundaries went south to Pleasant Street, excluding the church and church properties and the residential building on the east side of the street, extending west to Kenilworth along South Boulevard and east to just past Euclid. Mr. Failor said the Plan Commission's recommendation was to shrink that down along South Boulevard and only capture buildings facing on Oak Park Avenue.

Commissioner Rouse asked what was the rationale for removing properties along South Boulevard in the area and not Marion Street. Commissioner Gilbert replied they kept it in on South Boulevard west of Marion because that was a future development spot and an entry point into the Village and there might be a push for that development to include retail. Mr. Failor pointed out there was a list of uses that were restricted in the first fifty feet of the first floor but that service uses were still allowed on the main stretch. Mr. Failor gave examples such as family residential care home, foster home, animal clinics with open kennel, general office including medical office, beauty supply stores, day care center, etc as those that are restricted uses.

Commissioner Moran said they also discussed that existing uses that might be restricted would be grandfathered in. Mr. Failor agreed. Commissioner Gilbert clarified the existing space was grandfathered but also the use, if it was not vacated. Mr. Failor replied there was a time frame in between uses that the same use would be allowed back in, so if an office use moved out another could move in within a set amount of time.

Chair Bolte opened public testimony.

Mr. Greg Melnyk, co-owner of 1111 and 1113 South Boulevard. Mr. Melnyk said it was not mentioned when the re-streeting of South Marion was discussed that the quid pro quo of that would be the rezoning of the area. He said if you wanted to tie in North and South Marion there were different zoning districts for North and South Marion that were not the same. Mr. Melnyk said in the 100 block of South Marion on the east side, 2/3 of that block would become non-conforming. The 200 block had six spaces and three would be non-conforming. His building would be non-conforming as a general office building. He said when you made a property non-conforming you added a level of problems for the property owner, financing problems because lenders are averse to lending on a non-

conforming use. He said insurers don't like to insure non-conforming uses. He said to change his building to meet the zoning would mean a gut-rehab of the building. On the east side of Marion you had the Kroc Mental Health Center that could not be changed to a retail space. He said it didn't make sense to change the Transit Overlay district when the only piece of property to control would be the property to the west of the currently developed property. Mr. Melnyk said those would be subject to a planned development and requirements could be made then. He asked why make most of the area non-conforming when there was already the tool at hand to make the area what you wanted, putting an economic burden on owners of the properties that are non-conforming.

Mr. Gene Armstrong, co-owner of 1111 and 1113 South Boulevard. Mr. Armstrong said grandfathering was an illusory benefit because if something happened to your building and you needed to make repairs you'd have a short ceiling to make those repairs before being forced to come into compliance with zoning laws. Mr. Armstrong said for his building, they'd have to rip out a façade, put floors over an historic E.E. Roberts mosaic floor, tear out an award-winning addition just to meet requirements of the Overlay District. He said his building was in the historic district and if any exterior changes were made it would have to be approved by the Historic Preservation Commission so nothing was going to happen to the building. Mr. Armstrong said there was a push to put it in the Overlay District to exercise control over a prospect that was non-existent, the idea that the building could be changed. Mr. Armstrong said his was the sole building on South Boulevard that got an adverse effect from extending the Overlay District to Harlem and he suggested stopping it at Szechwan Beijing.

Mr. Mike Fox, owner of the Carleton Hotel at 1110 Pleasant, 115 South Marion and 200-212 South Marion. Mr. Fox said the notice provision was a problem, when there was a potential zoning change to your property and nothing gets out to property owners that was not right. Chair Bolte asked Mr. Failor about procedure. Mr. Failor replied it was a zoning text amendment, not a rezoning of property, so the notification requirement was to notice in the newspaper. Mr. Failor said they'd notified the Marion Street Business Association, the BAC and the Avenue Business Association and asked that they distribute the information to their members and property owners.

Commissioner Benson said that the notification process needed to change and he encouraged that the Village go beyond the state statute requirements. Mr. Failor replied they followed the state statute and went beyond it by notifying the business associations. Commissioner Moran asked Attorney Karaca if that would be a Village Board issue. Mr. Karaca agreed. Commissioner Gilbert said he was troubled that the property owners would not get direct communication on it. Commissioner Rouse concurred.

Mr. Fox said he was very against the proposal. He said he pushes retail but he knew where it can be and where it can't be. He said with the building at 212 South Marion, the main space sat vacant for nearly four years. He said he then had a salon in the space but then they left and it sat vacant for eight months. He said he'd thought he'd be able to find another hair salon but couldn't so now it was a florist and a photographer. With the zoning change, he could only replace the photographer with another photographer rather

than a lawyer or financial person. He said he had a chiropractor in his building that would like a larger space but would not be able to do that because it would be a non-conforming use. Mr. Fox said they were at the tail end, of the tail end of the shopping district, they were on the outskirts of the central business district and that's ok. Mr. Fox said he can't always push retail and the amendment would take his parking lot out of compliance. Mr. Fox said if the Carleton Hotel burned down he'd have to get permission to build again. Commissioner Moran asked if his properties were in the area where the streetscaping was being done. Mr. Fox agreed.

Chair Bolte moved to discussion.

Commissioner Benson asked if there was public testimony when they met on the issue in July. Chair Bolte said there was none. Commissioner Benson said the lack of public testimony last time made him assume it wasn't a shocking move to the neighborhood and allowed him to oversimplify the issue and he was glad this was back because he believed they may have erred before. Commissioner Benson said the notice issue worried him because he didn't believe most of the owners knew about the issue and he's concerned about the action on it. Commissioner Moran said in the deliberations last time they were trying to be as flexible as possible while extending the boundaries and she'd like to hear more about the burdens such as insurance requirements from someone who might know about those. Commissioner Moran said there appeared to be conflict from the Village Board investing to tie in the North and South Marion districts and some owners who don't want to be in the position of being a non-conforming use. Commissioner Moran asked if there was someone on Village staff who could talk about the consequences of being a non-conforming use. Mr. Failor said the legal department could research that. Commissioner Moran said they also needed to be careful not to spot zone certain properties. Chair Bolte agreed, saying they wouldn't zone one point, skip a property and then move on.

Chair Bolte said the grandfathering wasn't a problem for her, but what bothered her was that there were so many non-conforming uses on that strip of Marion. Chair Bolte said she agreed with the investment of the Village and what the Board was trying to accomplish, but she wondered if there was a different way to accomplish it. Commissioner Rouse said he didn't believe Marion was a Transit Overlay District because it was massively non-conforming and it wasn't part of the deal to redo the street, it wasn't discussed and agreed to and there wasn't the traffic to drive it. Commissioner Rouse said Oak Park Avenue had a lot of traffic and was more of a Transit-oriented area but Marion was not. Commissioner Gilbert said maybe the intention was to drive it toward a more transit-oriented area. Commissioner Rouse replied he didn't see it in the next several years. Commissioner Moran said there was the green line and Metra on Marion. Commissioner Rouse said he believed it was a much different area than Oak Park Avenue.

Chair Bolte said Oak Park Avenue uses might not be all retail, but they were storefront structures. Chair Bolte explained that originally, when the Transit Overlay District wasn't

approved, it was felt that both of the south pieces were more fragile and would not adapt as readily to the restriction on use. Chair Bolte said Marion was a different situation because of the physical look of the buildings and to bring them in line with a storefront-like approach would be difficult. Commissioner Fausch said it was similar to Harrison Street where there were buildings that were difficult to renovate to retail use so that was happening slowly.

Commissioner Moran said in the previous deliberations they had the option to narrow the retail district. Chair Bolte said they did make recommendations on both locations to do that. Commissioner Moran suggested if Marion were made a narrower district it could address some of the concerns on South Boulevard. Commissioner Rouse asked if they were to vote on the boundaries as proposed or could they amend. Mr. Failor suggested if there was a commission-wide concern about the notice that they stop discussion and re-notice, bring it back for discussion and go from there. Commissioner Gilbert agreed, saying he'd also like more staff information on the impact of non-conformance uses.

Chair Bolte established that all of the potential boundary property owners should be notified before the next hearing.

Commissioner Rouse motioned to re-notify owners within 500 feet of the amendment's boundaries and re-hear the amendment to November 17. Commissioner Benson seconded. Commissioner Gilbert asked staff for some identification on what would be non-conforming with existing uses.

Commissioner Moran asked if staff could plot the existing non-conforming uses on a map to see if there were clusters. A roll call vote was taken:

Rouse- yes
Benson- yes
Gilbert- yes
Moran- yes
Mann- yes
Fausch- yes
Roberts- yes
Bolte- yes

Chair Bolte moved to the discussion of green roofs. Ms. Laura Haussmann, an Oak Park resident and member of the Energy and Environment Commission presented a summary for the Plan Commission. Ms. Haussmann said she understood that developers had approached the Plan Commission looking for relief from the open-space requirement and the Energy and Environment Commission did not currently recommend giving up open space for green roofs. Ms. Haussmann referenced the ordinance definition of open space saying it was a ground-level land area free of structures and available for the absorption of ground water. She said a green roof did not absorb ground water and that was one of the big issues for many of the commissioners. She said a couple of the commissioners didn't have an objection to a small trade-off on open space but wanted to know the

current requirements and what had been done in the past. Ms. Haussmann said one commissioner raised the issue of if the green roof died or became unsuccessful, what then. Ms. Haussmann said she sympathized to some extent in providing some relief because a green roof was so beneficial in other ways, but the commission at this time did not recommend it.

Chair Bolte asked if the EEC had a recommendation for a minimum soil depth to give green roofs a substantial environment benefit for the building because they are looking for green roofs that do more than just look nice. Ms. Haussmann referred to the beginning of the summary that gave the minimum soil depth of extensive roofs. She said that was three inches and the plants were put there never to be disturbed again. She said there were benefits in that they diverted storm-water runoff as well as reduce the heat island effect and cooled the building as a traditional roof would not, so they would do more than just look nice. Ms. Haussmann said there were also intensive green roofs that people tended to think of as outdoor courtyards, involving a much thicker base and that were much more complicated.

Commissioner Moran asked how this would relate to post planned developments. Ms. Haussmann replied the EEC might have a different recommendation if they knew that relief had been allowed in the past and to what extent. She said they would like some information on what had been allowed and also what the current requirements were for open space and what that entailed. Commissioner Roberts asked if the commissioners were saying it would not be a compensating benefit. Ms. Haussmann replied she believed there wasn't a full understanding of what open space was. Mr. Failor said in the past, the Plan Commission had approved green roofs in lieu of open space requirements and it wanted to make sure that what was being captured on the roof in the vegetative system was equal to what the ground could absorb, or less, or more.

Chair Bolte asked if the LEED-certification point system specified a specific soil depth for a green roof. Commissioner Mann said he didn't believe LEED had any more than the first paragraph in the report. Commissioner Mann said he believed they needed to go further, maybe 4-8 inches on the depth of soil. Ms. Haussmann replied the purpose of the depth was to allow different types of plants to function differently, if there was greater depth of soil you had more options or varieties of what you could plant. Ms. Haussmann said with the intensive types of green roofs there were often patios and outdoor entertaining spaces and that wouldn't be helpful with the absorption rate if that was the primary concern. Commissioner Mann said paved areas would not count as a green roof. Ms. Haussmann said the purpose of the coefficient was to help calculate the total amount of perviousness or open space.

Mr. Failor stated that most people who do green roofs do it on their own, there were no requirements. Attorney Karaca noted there was nothing in the code on maintenance. Mr. Failor said currently they didn't approve anything in lieu of open space unless it was part of planned development and under planned development they were obligated to maintain it as part of their approval, but if someone were to do it on their own, if it died, it died.

Commissioner Gilbert said he thought the discussion for this zoning was to see if a provision was needed for ongoing maintenance, if they were getting zoning relief it was reasonable to say you've got to maintain it. Chair Bolte said the point was if they want a green roof and want some sort of compensating benefit we have to tell them what kind of roof they have to build, the minimum requirements but we also then have to say you have to take care of it. Chair Bolte asked if the Village would take on the burden of inspecting it like they do elevators. Mr. Failor suggested the Village could require owners supply an impendent report by a professional. Karaca said it could be regular building maintenance inspections or part of a specific condition that the Commission approves. Chair Bolte said she believed it should be a condition.

Commissioner Fausch said she didn't think requiring only an intensive roof was necessary as an extensive one would also fulfill the absorption requirements. Mr. Failor suggested you have both definitions because if someone wanted to do a green roof and not do it as part of an open-space then there was the definition available. Commissioner Fausch clarified that she believed both roofs would fulfill the absorption requirements for open space, the intensive might fulfill the open space use requirements but both of them could work equally well for absorption. Ms. Haussmann said the extensive roofs have a lower soil mass, which would absorb less but if there was a large square footage, yes. Commissioner Fausch said she thought the Lake and Forest roof was intended to be an extensive roof. Chair Bolte replied she believed it would be a patio area and therefore intensive, but the question was how much will be green and how much will be patio. Chair Bolte said both intensive and extensive could both be considered but if you want open space relief you would have to do more than just a replacement. Commissioner Mann said on the open space requirement he believed they were going for as close to one to one equivalent, and looking at the chart, they'd have to go above four inches in depth of soil to get the equivalent of turf. Commissioner Fausch said she would advocate for a performance standard that allowed people to do it a number of different ways rather than say you must have a different depth of earth. Commissioner Mann suggested they could specify a coefficient of runoff minimum.

Commissioner Mann asked Ms. Haussmann if, as a landscape architect, she'd seen green roof criteria. Ms. Haussmann said she couldn't find anything in her research.

Chair Bolte said they might also consider the "by right issue" of compensating benefits. Commissioner Gilbert said that would be going beyond the proposed zoning amendment, which was saying you can swap an open space requirement for a green roof and you didn't have to go before someone or get any more permission. Commissioner Gilbert said if you start talking density then you start talking PUD. Chair Bolte agreed it's a separate discussion. Mr. Failor said most PDs they see were in commercial districts and in downtown there were no open space requirements so a green roof could be part of a compensating benefit list if it provides a benefit for the greater good and not just the developer. Ms. Haussmann said one of the reasons the EEC wasn't supportive of providing open space relief was because they saw it as a developer could be over-building a space, that they should be allotting for open space and that green roofs primarily provided benefits to the building owner and residents and not to the rest of the

APPROVED
November 3, 2011

community. Ms. Haussmann said she personally disagreed saying green roofs provided community benefit by using less energy overall as well as reducing the heat island effect and reducing storm water runoff. Mr. Failor said in planned developments they require them to be LEED certified and one of the points they can get was a green roof toward their certification.

Commissioner Gilbert said open space wasn't necessarily public space, either. He said would there be more of an impact on the neighborhood if you allow people by right to build more than was allowed by zoning just because they put a green roof. Ms. Haussmann asked if it would be considered in cases where open space was not easily achievable or a burden to accomplish or was it giving someone the capacity to overbuild a space by putting a green roof on.

Commissioner Benson asked if they wanted the purpose of the green roof to be environmentally sound or aesthetically pleasing. Commissioner Benson said if they were talking about an aesthetic standard then they needed to talk about access. Mr. Failor said these were in commercial districts, not residential districts, so any open space would be in the back, but in terms of density, they would have to stay within the code. Commissioner Fausch said another criterion would be massing instead of density because they'd be allowing greater bulk.

Chair Bolte suggested the Plan Commission wasn't ready to make a recommendation to the Board and would like members of the EEC to join them in the discussion. Chair Bolte moved to continue the hearing to November 17. Commissioner Rouse motioned, Commissioner Mann seconded.

The meeting ended at 10:30 p.m.

Angela Schell,

Recording Secretary

VILLAGE OF OAK PARK

CITIZEN ADVISORY BOARD AND COMMISSION

F

AGENDA ITEM COMMENTARY

Item Title: Motion to deny Zoning Ordinance Text Amendments relative to Beauty Supply Stores within the Madison Street Overlay District .

Resolution or Ordinance No. _____

Date of Board Action: Monday, November 28, 2011

Submitted by: Linda M. Bolte, Plan Commission Chairperson

Staff Liaison & Review: Craig Failor, Village Planner

Department Director Name: 
Craig Failor, Village Planner

Village Manager's Office: 
Lisa Shelley, Deputy Village Manager

Citizen Advisory Board or Commission Issue Processing (Dates of Related Commission Meetings): At their September 6, 2011 Village Board meeting, the Trustees referred this text amendment to the Plan Commission. The Plan Commission met on September 15, 2011 and opened the public hearing, then continued it to October 20, 2011. The Applicant, Joe Seok [K-Stone Beauty Supply, 20 Madison Street] and their representation, Bates Larson, with the law firm of Perkins Coie, LLP presented the application. The Plan Commission held the public hearing on October 20, 2011 and reviewed the findings of fact on November 3, 2011.

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation): The Plan Commission does not support this request. The vote was split 5-4, the majority being against the application. The Plan Commission was conflicted in that some did not see the need for such a restriction due to the fact that they did not perceive an over saturation of this type of business. Others felt that the need was already established due to the current restriction identified in the Perimeter overlay district and that the use was not prohibited but restricted relative to separation. Some commissioners believe that the "free market" will determine the need for such businesses and that the Village should not interfere. Some felt that the Village should conduct a broader review of uses that may be saturating the market and determine if other uses might be a candidate for the separation requirement. Please refer to the meeting minutes for a fuller discussion of this matter.

Staff Commentary (If applicable or different than Commission): Staff was mixed on this issue also. It was thought that; in order to be fair to those beauty supply businesses located within the perimeter overlay district boundaries which are currently restricted and who may be located nearer to the western or eastern boundary line of the perimeter overlay district, that they would not be afforded the same consideration as a similar use that is more centered within the district; meaning that a similar store could be just across the Perimeter Overlay District boundary line and be allowed without any restriction but the business that is a few feet away is restricted. Obviously there is no Village control over what might occur in the City of Chicago across Austin Boulevard, nor would the perimeter overlay restriction apply to an Oak Park business even though there may be a similar business in Chicago. Staff also identified beauty supply stores as being a retail sales tax producing business, where the village would benefit from retail sales, so why should this use be further restricted.

On the other side of the issue, it was felt that this may be the time to place a restriction on this type of land use in order to prevent a potential over saturation of such uses along the corridor as they have recently become more popular on Madison Street. There will be three within a two block stretch at the east end of Madison Street. Two located between Humphrey Avenue and Austin Boulevard and one proposed between Humphrey Avenue and Taylor Avenue. A new beauty supply store just opened at 916 Madison Street (formerly Walgreens). This type of restriction would not be out of line with what has been initiated in other overlay districts relative to beauty supply stores and beauty salons along Roosevelt Road, North Avenue and for salons along Madison Street.

Item Budget Commentary: (Account #; Balance; Cost of contract) No financial impact.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

Approve the text amendment; this would provide for further restriction on beauty supply stores along Madison Street in line with the perimeter overlay district as found at the ends of Madison Street, along Roosevelt Road and North Avenue, as well as other business and commercial districts along Harlem Avenue and Austin Boulevard. This would ensure that this type of use would not be consolidated on one regional area in the future and provide for a mix of uses that promote good retail shopping districts.

Proposed Recommended Action: Consider the Plan Commission's recommendation and findings of fact as proposed and direct staff to prepare any necessary documents relative to the Zoning Ordinance text amendments.

Att- Findings of Fact, Public Correspondence, Draft Minutes

November 3, 2011

President and Board of Trustees
Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302

Re: Proposed Text Amendment To The Zoning Ordinance Madison Street
Overlay District Concerning Concentration of Beauty Supply Stores.

Dear Trustees:

On or about August 11, 2011, you referred a certain proposed amendment to the text of the Zoning Ordinance to the Plan Commission, sitting as a Zoning Commission ("Commission"), for a public hearing. In general, this proposed amendment changed the allowed density of "beauty supply stores" in the Madison Street Overlay District to mirror the density restrictions in the Perimeter Overlay District, adding the following section of the Zoning Ordinance to read as follows:

Section 3.9.6(F)(2) "f. Beauty Supply Stores: shall not be located within 500 feet of one another or a similar use."

On August 31, 2011, legal notice was published in the "Wednesday Journal", a newspaper of general circulation in the Village of Oak Park, scheduling a public hearing on the Village's proposed text amendments before this Commission on October 6, 2011. On October 5, 2011, the Petitioner mailed

notice of the proposed text amendment to the “property owners on Madison Street,” advising them that the Petitioner’s application would be heard at the October 20, 2011, Plan Commission meeting at Village Hall. At the October 6, 2011, meeting, the Commission continued the public hearing to October 20, 2011. This Commission held a public hearing on October 20, 2011 such time and place, at which a quorum of this Commission was present.

Having heard and considered the testimony and evidence at the public hearing, the Commission makes the following findings and recommendations:

FINDINGS OF FACT

Petitioner and Similar Businesses.

1. The Applicant, Joe Seok, represents a business, “K-Stone Beauty Supply,” located at 20 Madison Street, Oak Park, Illinois 60302.
2. The owner of the 20 Madison Street, Kyun S. Seok, (the “Petitioner”) applied for an amendment to the Village’s Zoning Ordinance as a “person having a proprietary interest in property in the Village” according to the requirements of Section 2.2.2(B) of the Zoning Ordinance.
3. There was testimony that K-Stone Beauty Supply engages in the retail sales of wigs, shampoos and related beauty supplies.
4. 20 Madison Street is located within both the Village’s Perimeter Overlay District, the Madison Street Overlay District and the C-Commercial District.

5. There was testimony that K-Stone Beauty Supply has been in business for over eighteen (18) years, and has recently opened another branch in North Riverside.

6. There was evidence presented that K-Stone Beauty Supply has successfully operated directly next door to another beauty supply store, "Queens Beauty Supply," located at 14 Madison for several years.

7. There was evidence presented that another beauty supply store, to be located at 44 Madison, is being planned by another business owner. In fact, a business license was applied for by the owners of 44 Madison for that very purpose, prior to the request of the Petitioner for the amendment at issue.

8. 44 Madison is located within the Madison Street Overlay District, but not within the Perimeter Overlay District. It is therefore not subject to any density restrictions that the Perimeter Overlay District imposes on beauty supply stores.

9. Village Staff and the Plan Commission clarified at the Public Hearing that the business application of 44 Madison to be used as a beauty supply store would be in no way affected by the approval or denial of the proposed text amendment at issue.

10. Thus, there may be three (3) beauty supply stores within two blocks on Madison Street, regardless of whether the proposed text amendment is granted.

History of Overlay District Regulations.

11. In 2002, when the Village adopted a comprehensive update to its Zoning Ordinance, it added restrictions to such beauty supply stores in two areas: the *Perimeter Overlay District* and the *Transit Related Overlay District*.

12. As changed in 2002, the Perimeter Overlay District restricted the density of beauty supply stores to one within five-hundred (500) feet of any other beauty supply store within the overlay district. (Zoning Ordinance, § 3.9.2(H)(1).)

13. The purposes for the Perimeter Overlay District are stated as follows:

The gateways to Oak Park, consisting of the primary vehicular entryways to the Village and the blocks around the periphery of the community, are important assets. They create the first impression of the Village for tourists and visitors, provide buffers between high-volume arterials and residential development, and provide significant revenues to fund Village governmental functions.

The importance of the gateways to the residents of the Village and its economic vitality and image, especially to tourists, as well as the growing number of threats to the economic vitality of this area are well recognized. Therefore, the Perimeter District is created to:

1. Improve the visual quality of the Perimeter area;
2. Encourage a mix of desirable retail uses;
3. Protect adjacent residential areas;
4. Restrict undesirable signage; and
5. Limit undesirable uses.

(Zoning Ordinance, § 3.9.2(A).)

14. Also, as changed in 2002, the Transit Related Overlay District prohibits beauty supply stores from being located within the first fifty (50) feet of any street line in the overlay district. (Zoning Ordinance, § 3.9.3(F)(2)(f).)

15. In 2008, the Village adopted the Madison Street Overlay District, (“MSOD”) which requires a five-hundred (500) separation between all beauty

salons, hair braiding establishments and barbershops. (Zoning Ordinance, § 3.9.6(F)(2)(e).)

16. This MSOD restriction does not apply to beauty supply stores, which are mainly retail in nature.

17. The purposes of the MSOD are stated to be as follows:

The purpose of the Madison Street Overlay District is to ensure development is consistent with the Madison Street Corridor Plan adopted by the Village Board of Trustees on June 5, 2006. (Zoning Ordinance, § 3.9.6(A).)

18. The 2006 Madison Street Corridor Plan states that its goals are the following:

The Madison Street corridor has a very different development pattern from other corridors within Oak Park, such as Lake Street. Madison Street is an auto-intensive corridor, as evidenced in its long history as the auto-dealer row. As the number of car dealerships has reduced over the years, new uses have assumed the role of economic anchor. The RUSH Oak Park Hospital, the banking institutions, the Jewel, the education institutions, and the Village Hall have complemented the strong residential neighborhood surrounding the corridor.

These changes in land use and the resulting concurrence of residential and retail/service uses has motivated numerous entities, including the Village of Oak Park, neighborhood groups, private developers, and business associations, to develop plans and visions for the future of Madison Street.

These plans and visions include mixed-use development, residential development, aesthetic improvements, gateway enhancements, and business retention and recruitment strategies for the Madison Street corridor.

19. The Commission heard Staff opinion that this MSOD restriction of beauty salons and related establishments was enacted by the Village in reaction to the then-current proliferation of such establishments located within MSOD.

20. The Commission heard Staff opinion that the primary rationale for such restriction was due to the Village's desire for a diversification of land uses along the MSOD corridor that would provide a more stable economic environment as well as provide opportunities for multiple commercial stops for patrons.

21. In 2009, the Village adopted the *Roosevelt Road Overlay District* into the Zoning Ordinance that restricts beauty supply stores within five-hundred (500) feet of one another, reincorporating what had already been established in the Perimeter Overlay District along Roosevelt Road.

22. The 2009 Roosevelt Road Overlay District changes also restrict beauty salons, barbershops and nail salons within five hundred (500) feet of one another.

Testimony from the Public.

23. The Plan Commission heard extensive testimony and argument from the public regarding whether the Village should adopt a five-hundred (500) foot restriction of beauty supply stores within the MSOD.

24. Those in opposition to the proposed zoning text amendment spoke in favor of free competition, job creation, and allowing the market to determine the viability of commercial property use within the Village.

25. The Commission also heard argument from the public stating that the Village did not include such a five-hundred (500) foot restriction for the MSOD in the past, even though it did so for the Perimeter Overlay District, because the two overlay districts are distinct in character.

26. Those in favor of the proposed zoning text amendment voiced fears that beauty supply stores could end up destroying competition, especially by some

of the larger chain stores that could locate near a locally-owned business and unnaturally drive down prices in the local beauty supply market for a short time, until the local stores are forced to close.

Considerations of Plan Commission Members.

27. The Commission had a robust discussion regarding the propriety of imposing governmental controls over the local commercial real estate market via the type of proposed density restrictions.

28. Some commissioners felt that the Village should not be doing these types of restrictions at all, preferring instead to let the free market decide the appropriate commercial real estate uses in the Oak Park commercial areas.

29. Other commissioners expressed the opinion that the Village had concerns other than the free market.

30. The commissioners and staff discussed the history of the Village imposing such density restrictions on certain uses in response to oversaturation in the market for certain uses at times, causing instability in the commercial real estate markets.

31. Some commissioners felt that density restrictions served to ensure that important commercial streets in the Village, such as Madison Street, should have a certain diverse character that the Village has an interest in protecting and guiding.

32. The commissioners also discussed the different natures and goals of the Perimeter Overlay District and the MSOD.

33. Some commissioners felt that the Perimeter Overlay District was the “front door” to the Village, and should be treated differently than the MSOD.

34. Other commissioners felt that it was just as appropriate to control the density of beauty supply stores within the MSOD as it is within the Perimeter Overlay District, because Madison Street is an important corridor through Oak Park that gives the Village much of its diverse character.

35. Some commissioners felt uncomfortable in amending the text as proposed because it appeared to be piecemeal: those commissioners would feel more comfortable with looking at a more universal study of uses within the MSOD or the Comprehensive Plan by Village Staff in order to best guide and protect its character.

RECOMMENDATION AGAINST ADOPTION OF THE PROPOSED AMENDMENT

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, this Plan Commission, sitting as a Zoning Commission, hereby recommends to the President and Board of Trustees that the attached amendment to the Zoning Ordinance, which, in general, would require five-hundred (500) feet between all beauty supply stores in the Madison Street Overlay District, *not* be adopted.

This recommendation against the proposed text amendment was adopted by a 5 to 4 vote of the Plan Commission, sitting as a Zoning Commission, this 3rd day of November, 2011.

MINUTES
OAK PARK PLAN COMMISSION
VILLAGE HALL- COUNCIL CHAMBERS
October 20, 2011 – 7 p.m.

PRESENT: Chairperson Linda Bolte; Commissioners Mark Benson, Deborah Fausch, Douglas Gilbert, Sonny Ginsberg, David Mann, Gail Moran, Susan Roberts, Steven Rouse

ALSO PRESENT: Craig Failor, Village Planner, Plan Commission Attorney Jacob Karaca

APPLICANTS: **PC 11-04:** Joe Seok; Bates Larson, attorney for applicant

PC 11-03: Rolando Acosta from Ginsberg Jacobs, LLC.; Michael Glazier from Sertus Capital Partners, LLC; Michael MaRous from MaRous & Company; Brian Vitale from Gensler

Chair Bolte called the meeting to order at 7:05pm and roll was called.

Chair Bolte welcomed Commissioner Ginsberg and explained he would participate with only the Madison Street Text Amendment.

Non –Agenda Public Participation

None.

Approval of Minutes

None.

PC 11-02: Zoning Ordinance Text Amendments; Zoning Ordinance Text Amendments to the Roosevelt Road Form Based Code Overlay District and Landscape Regulations of the Zoning Ordinance. FINDINGS OF FACT

Commissioner Moran motioned, Commissioner Mann seconded.

Commissioner Moran recommended a slight change in the language on page three.

Commissioner Roberts questioned limiting the fences to wood or masonry. Chair Bolte explained the recommendation was deliberate in limiting the material as wood or masonry and not metal. Mr. Failor agreed.

MOTION

A roll call vote was taken.

Moran- yes
Mann- yes
Gilbert- yes
Benson- yes
Roberts- yes
Fausch- yes
Rouse- yes
Bolte- yes

The motion passed 8-0.

PC 11-04: Madison Street Overlay District Zoning Ordinance Text Amendment:

The Applicant seeks approval of proposed amendment to the Oak Park Zoning Ordinance by adding to Section 3.9.6(F)(2) – “f. Beauty Supply Stores shall not be located within 500 feet of one another or a similar use.” OPENED and CONTINUED from September 15, 2011

Mr. Failor explained the applicant was requesting a text amendment to the Madison Street Overlay District’s zoning ordinance to include a restriction on beauty supply stores within 500 feet of one another. Mr. Failor said the restriction currently existed in the Perimeter Overlay District on Madison Street on the first block east and the first block west. The applicants are asking to extend it to the full corridor adding it into the Madison Overlay District.

Attorney Jacob Karaca swore in everyone who planned to give testimony.

Ms. Bates Larson, attorney for applicant Mr. Joe Seok. Mr. Seok is the son of Mr. Kyun Seok the owner of K-Stone Beauty Supply Stores at 20 Madison.

Ms. Larson asked Mr. Seok to describe K-Stone. Mr. Seok replied it’s a beauty supply store selling everything from wigs, hair extensions, jewelry and supplies like shampoos and conditioners. Mr. Seok said the store had been on Madison for over 18 years and they had another location in North Riverside. Ms. Larson asked Mr. Seok what was his understanding of the overlay districts. Mr. Seok replied their store was located in both the Perimeter and in the Madison Street Overlay Districts. Ms. Larson asked if Mr. Seok had an understanding of the limitations placed on his business being in both districts. Mr. Seok replied in the Perimeter district there was a restriction of beauty supply stores being within 500 feet of each other and there were no restrictions in the Madison Overlay district.

Ms. Larson asked about other beauty supply stores within 500 feet of K-Stone. Mr. Seok replied Queens was located at 14 Madison, next door. Ms. Larson clarified the businesses predated the restrictions in the Perimeter districts. Ms. Larson asked Mr. Seok if he’d heard of any other beauty supply stores within 500 feet of his store. Mr. Seok replied 44 Madison was possibly becoming a beauty supply store. Ms. Larson asked what steps Mr.

Seok took when he heard there was another store moving in within 500 feet of K-Stone. Mr. Seok said he checked the Perimeter Overlay District and thought the protections meant a true, 500-foot radius but then learned the 500 foot did not extend past the border of the Perimeter Overlay district.

Ms. Larson asked Mr. Seok why he was asking for a text amendment that applied the Perimeter district restrictions to the entire length of the Madison street corridor. Mr. Seok replied it would provide consistency like other districts such as Roosevelt Road, it would promote diverse and different types of businesses and it would prevent an oversaturation of similar businesses.

Ms. Larson explained K-Stone had been next door to another beauty supply store for more than 10 years, why was Mr. Seok concerned about oversaturation. Mr. Seok replied the idea was to provide variety- if there was a bakery or shoe store, they would come to get a piece of cake then they may come in to get shampoo or shoes but with oversaturation they would only come to go to one store and others would suffer.

Ms. Larson asked if there were other beauty supply stores on Madison in addition to Queen, K-Stone and the applicant at 44 Madison. Mr. Seok replied a new store just opened in the old Walgreens location just west of Oak Park Avenue, more than 500 feet from K-Stone.

Ms. Larson asked Mr. Seok if he knew who applied for the permit at 44 Madison. Mr. Seok replied he believed it was Cosmos Beauty Supply. Ms. Larson asked if Cosmos was a chain. Mr. Seok replied they had 20-plus locations in the area. Ms. Larson asked if the owners of Cosmos opened up stores within close proximity to each other. Mr. Seok replied they sometimes opened stores across the street from each other, like in the south side of Chicago.

Chair Bolte explained the procedure, saying next would be cross examination, then public testimony, closing remarks by the applicant and opposers could give a closing statement. Then the Plan Commission had deliberation and decision. Chair Bolte asked Mr. Failor to clarify that the text amendment request had no bearing on the application pending with the village. Mr. Failor said the application at 44 Madison was currently in the process and the ruling had no impact on the business application process. Attorney Karaca explained there were due process concerns and must be done this way.

Chair Bolte opened cross examination.

Ms. Joanne Hurley, attorney for the business license applicant and owner of 44 Madison and 501, 503, 505, 507 Lyman. Ms. Hurley asked Mr. Seok to describe the exterior of K-Stone beauty supply store. Mr. Seok said it was red brick with glass windows. Ms. Hurley asked if there were posters all over the windows. Mr. Seok agreed, saying the posters were products that they sell in the store. Ms. Hurley asked Mr. Seok if during the four-year time period that the zoning changes were considered and various groups within

the Village were giving input, did he provide any input during that time. Mr. Seok replied he was away at school and he was unsure if his father, the owner, gave any input.

Ms. Hurley asked Mr. Seok if he was aware of the Madison Street Corridor plan, which set up the Village's goals for the area over a long period of time and solicited community involvement. Mr. Seok replied yes. Ms. Hurley asked if he or his father provided any input. Mr. Seok replied he went to the first meeting.

Ms. Hurley asked Mr. Seok if he only provided his input to the Village after learning that other people would be involved with the same business rather than during the time of the restrictions being considered. Mr. Seok replied he was under the assumption that the Perimeter Overlay district protected them so there was no need to look into it further. Ms. Hurley asked if he was aware that when the Village amended the zoning one goal was to provide information on its website. Mr. Seok agreed. Ms. Hurley asked if he understood there was a one-block Perimeter area and the rest of Madison was a different zoning district. Mr. Seok replied he understood there were two zoning districts, but he was under the assumption the 500 foot was a true radius restriction. Ms. Hurley asked if he knew the goal of zoning is to accomplish the Village's goals the benefit of the individual business. Mr. Seok agreed.

Chair Bolte moved on to public testimony reminding there were five minutes allotted for each speaker.

Mr. Jerome Ketzback, 7730 Lake Street in River Forest, owns property on the first block of Madison Street. Mr. Ketzback said he was in favor of extending the boundaries of the Perimeter district. Mr. Ketzback said he also owns Laurie's bakery and when Dunkin Donuts moved in he lost 30% of his morning business. He said he paid in excess of \$50,000 a year in real estate taxes to Oak Park and it affected his business. He said he owns the building Queens beauty supply was located in, it had been in business for over 30 years. Mr. Ketzback said if they were to go out of business because of increased competition it would have a ripple effect on him, he would have to close down his business.

Mr. Robert Bethay, owner of Queens beauty supply store at 14 Madison. Mr. Bethay asked how could he survive if there was a zone with 20-30 beauty supply stores in one location. Mr. Bethay said he didn't know the zoning was like this, how you could put the same stores near each other, like the bakery and Dunkin Donuts. Chair Bolte reminded everyone that the 44 Madison location wasn't the issue before the Plan Commission, they were talking about future beauty supply businesses.

Mr. Jose Pettis, 805 Humphrey. Mr. Pettis explained that businesses mean jobs and jobs were needed in this economy and he was for business and competition. Mr. Pettis said things may not be the same at the new store as it was at the other stores.

Mr. Deshawn Harris, 1012 S. Maple. Mr. Harris explained he was a bar and security associate and was looking to operate his own company. He said he's looked at some job

opportunities and Cosmos was one of his opportunities. Mr. Harris said he believed in opening more stores and providing more opportunities. He said that we're all Oak Park residents and it was time for us to look out for each other.

Mr. Andre Robinson, lives in downtown Oak Park. Mr. Robinson said K-stone closes at 8 p.m. and it was hard for him to travel this way after work. Mr. Robinson said a new store would be more convenient.

Mr. Akeem Armstrong, 1012 S. Maple. Mr. Armstrong said he was for competition and to have options. He said it might not benefit the businesses individually but from a customer standpoint, we would have options.

Ms. Krystal Sanchez, 1641 N. Natchez in Chicago. Ms. Sanchez said it was not about competition, but that other people needed job opportunities and a variety of products. Ms. Sanchez said different stores carried different products and if they opened a new one and it had different things it would benefit all of us.

Ms. Kaylene Bellamy, 1030 S. Elmwood. Ms. Bellamy said she used to live near the two beauty supply stores and had been a customer of both. Ms. Bellamy said she would like another one to open to get a better selection of things. She said K-stone had cramped parking and where the new store will be will have better parking. Ms. Bellamy said she hadn't always been able to find all that she needed at the current stores.

Chair Bolte reminded the public that 44 Madison was not the issue before the Plan Commission. It would be future stores opening within 500 feet of the existing stores. Chair Bolte asked if anyone had a comment about a fourth or fifth store opening within 500 feet in the future.

Ms. Bellamy responded that beauty supply stores have different products. She said she had been to Queens and K-Stone and they each carry different products. She said it was not about the numbers of them, necessarily, but the quality of the products. Chair Bolte asked if there were product lines not covered in the existing three stores. Ms. Bellamy replied each store specializes in different product lines, some sell hair and there were a lot of different brands of hair.

Mr. Harris explained in terms of business, it needed to be more, more and more. He said we've all gone to Burger King to get a burger and McDonald's to get the fries. Mr. Harris said the bigger Oak Park gets, the better it is.

Mr. James John, 1641 N. Natchez in Chicago. Mr. John said he's a college student and it was not the wealthiest life. He said the more businesses that were available; the more chances there were to support our lives. Mr. John said more opportunities make life easier for everybody.

Ms. Alexis Collins, 7206 W. Oak Avenue. Ms. Collins said she goes to a lot of beauty supply stores here. She said she was about the service, for example if she goes to McDonald's she might go a specific one based on how they treated her.

Mr. Young Choi, owner of 44 Madison, 501, 503, 505, 507 Lyman. Mr. Choi said this was the first time he had bought commercial property in Oak Park. He said he wanted to invest in Oak Park because he liked it here, but had concerns about the area because it was not an area where people walk around to shop. Mr. Choi said he decided to take a chance and buy property in a single lot with the thought that they'd improve one block and the improvement would improve the whole area. He said when construction was finished it would represent an investment of \$1.5 million on Madison. Mr. Choi said he believed in being part of community, he had a scholarship fund to give back to the community and he would open that to Oak Park residents. Mr. Choi said 12-14 jobs would be created at 44 Madison and more jobs would come to the Lyman property, depending on if Lyman will be all retail, part retail or restaurant.

Mr. Sung Park, owner of 44 Madison, 501, 503, 505, 507 Lyman. Mr. Park said he bought his Oak Park property in 2011 and it had been in foreclosure for a long time. Mr. Park said the property was vacant for seven years and was an eyesore. He said he checked on zoning restrictions before buying the property and there were no beauty supply store restrictions. He said he learned about the proposed restrictions five months after the purchase and he did not receive notice. Mr. Park said they have worked closely with Village regulations on signage and restrictions. Mr. Park said to pass this amendment would take away his freedom to develop the property in a way that would be most commercially viable. He said it would act as a detriment to development in Oak Park. Mr. Park said if the amendment was passed, they would reconsider their plans to buy more land in Oak Park. Mr. Park said the proposal was based on fear of competition and not in the interest of Village residents. Mr. Park said true competition meant better price and better quality of product and would be a good thing.

Ms. Hurley handed out information to the Plan Commission. Ms. Hurley said the commission should think about the history of the Madison Street Overlay and the Perimeter Overlay districts, and remember that Oak Park didn't act rashly. Ms. Hurley said they studied things and it was from 1998-2002 when they gathered input from staff, community groups, and street organizations on what the community wanted for Madison Street and the perimeter area. Ms. Hurley said the idea for the perimeter was to have a good image in Oak Park—wanting people coming into Madison to see clear Oak Park sensibilities. She said for the first block gateway, certain restrictions were imposed and it was clear from reading Plan Commission minutes from that time that people weren't sure they wanted any beauty supply restrictions in place, but it passed. Ms. Hurley said the commission at the time looked at if the restrictions should go all the way into Madison Street and they rejected that. Ms. Hurley said the Roosevelt Road analogy failed because the Village didn't have one plan in place for both areas, they had separate studies and created separate plans. Ms. Hurley referred to an article in the packet about use of zoning on a piecemeal basis and asked that the Village think about how thorough it had been in the past and reject the application.

Commissioner Moran asked Ms. Hurley if her clients understood the application would not impact the business at 44 Madison. Ms. Hurley replied they were pleased to hear that, but that they were still opposed to the restrictions. Commissioner Rouse asked if the Lyman properties will become beauty supply stores. Ms. Hurley said they will not.

Commissioner Fausch asked Mr. Failor to speak to the similarities and differences of the Madison Street district to the Perimeter districts. Mr. Failor explained in 2002 when the zoning code was amended it created the Perimeter Overlay district, which included Roosevelt Road, North Avenue and the perimeters along Harlem and Austin – the entry points into the village. Mr. Failor said Madison Street was not categorized in that perimeter grouping, although it was a thoroughfare through the community like Roosevelt Road and North Avenue, but the purpose of the Perimeter district wouldn't apply to the center of Madison Street. Mr. Failor explained when they did the Overlay district for Madison there was a separation requirement on beauty salons, hair braiding establishments and barber shops due to the concentration of those in one central area on Madison to create a more diverse opportunity for businesses along the corridor. Commissioner Fausch asked why there were restrictions only on things related to beauty supply and services. Mr. Failor replied he couldn't answer in regards to the Perimeter Overlay district but for Madison Street that was because there was a concentration of those uses in one general location and they were not necessarily a retail sales producing product and they wanted to diversify the area. Mr. Failor said they wanted to make sure they had a more viable economic area within the community and not one-use concentrated on one end. Commissioner Fausch said that wouldn't apply the same to this situation because these were retail. Mr. Failor agreed.

Chair Bolte referred to the staff report and the discussion between service and sales tax revenue. Mr. Failor said he believed if they see other types of uses going down the same path as the beauty salons they'd look at that as well because they were looking for a diverse-use base along all corridors. Commissioner Fausch replied it seemed odd, like a spot zoning. Mr. Failor replied it still allowed the use but allowed for a better mix.

Chair Bolte called for summary remarks from the applicant and objectors.

Ms. Bates Larson, attorney for the applicant, said she wanted to reaffirm that they were not there for 44 Madison; they were there because there was already a concentration of beauty supply stores in this part of Madison. Ms. Larson said it was slightly out of the Perimeter District by inches but it affected the entire corridor of Madison street. She said the question was how many were too many—there were two existing, an application for a third and another less than two miles down the street. She said should there be restriction, not exclusion, to avoid concentration in one place. Ms. Larson said there were three goals to the proposed amendment- consistency, avoiding overconcentration and promoting mixed use. She said it was not about fear of competition. Ms. Larson said the Perimeter Overlay District exists at both ends of Madison Street and in terms of consistency should extend the entire length of Madison Street. Ms. Larson said the Madison Street Coalition believed the proposed amendment was consistent with the goals of the Coalition. She said

the goals of the amendment were also consistent with the current regulations on hair salons, although the tax was retail versus a service tax, if there were three stores selling the same products there probably won't be buying from each store.

Ms. Larson said there were retail, sales and service tax differences- you were not going to buy one bottle of shampoo from four stores but if you added a restaurant you increased the chance someone would want to buy a sandwich and buy a bottle of shampoo. Ms. Larson said within two miles there were already potentially four beauty supply stores and there was concern that the Lyman property would turn into a beauty supply store. She said would this be good for the community to have stores competing with each other and not providing cross-over retail sales. Ms. Larson said the application was made on behalf of an individual business but it was made to avoid the complete saturation of beauty supply stores along the Madison Street Corridor.

Ms. Hurley said we were ignoring that Oak Park studied, made plans and reaped the benefit of those plans. She said the plans were provided to improve the streetscape and they attracted people to Madison, so the goal of attracting new businesses had worked. She said it was hard to balance the goals for the community and development but when the Perimeter Overlay zoning was adopted it restricted beauty supply stores in that area only and not other areas because it wanted to balance and not get in way of new businesses coming in. Ms. Hurley said she was asking for the Plan Commission to trust the decisions the Village had made in the past on development plans and let progress continue so the cost of the improvements could be paid back.

Commissioner Fausch said it made sense that some kinds of businesses needed to be spaced out, and some not. She asked staff if the Village had thought about what kinds of business were appropriate to restrict. Mr. Failor replied there wasn't a study of every kind of use but when they did the zoning ordinance in 2002, they might have gone through that. Mr. Failor said for example, you wouldn't want a separation of restaurants because there is a whole diversity of restaurants. Commissioner Benson said you could have a McDonald's across the street from a Burger King.

Commissioner Moran said she participated in Madison Street Corridor Plan and said she remembered the discussion about the desire to have diversity along the corridor. She said she didn't see it as exclusionary, more to make sure there wasn't saturation on one block or another of any type of business.

Commissioner Benson said there was a difference between saturation and oversaturation of a business. He said if there was a clear need for many different types of that particular industry to be in the area they will all survive, if there wasn't a need some will go out of business as the market will dictate. He said you would have what the market could handle, if a business owner thought they have the niche, the service or the quality, it was not their job to say which business beats another business.

Commissioner Moran said the question was should they be right next door to each other. Commissioner Benson replied they were already next door, why not another down the

block if the owner wanted to invest their money, let them invest their money. Commissioner Ginsberg interjected that this industry had been considered differently and that was why there was specific restriction in the Perimeter Overlay District, it was singled out by the Board at some point so someone made the decision that this wasn't like three bookstores. Commissioner Ginsberg said someone decided you might have a proliferation that does not add to what we wanted to see in the entry areas. Commissioner Ginsberg said Madison Street was as much an entry to the Village as Roosevelt Road and North Avenue was and you couldn't say it was just like another retail business because it had been singled out already. Commissioner Ginsberg said beauty supply stores were perceived to be different because they were seen as more likely to proliferate. Commissioner Benson said if that were true, why didn't they extend the restrictions all the way down Madison as they did along Roosevelt. Commissioner Ginsberg asked Mr. Failor if the decision to not extend the beauty supply restrictions along Madison a conscious decision by the Board. Mr. Failor replied it was based on entry points into the Village.

Commissioner Rouse said it was addressed specifically in the staff report as to why they didn't want these, they didn't want the proliferation in that area and you couldn't say this was different because it was only 100 feet away. He said because it was mentioned that would take it out of the free market analysis and into the analysis of, would this be good for the Village. He said it was true they could kill each other off, but you wouldn't want that as that was what happened to "auto row" and the area was still attempting to recover.

Chair Bolte said she relied a lot on the Madison Street Coalition comments that reiterated the desire for diversity. She said when they developed a plan they looked at what was on the ground and what was a concern for them and they didn't want to turn away businesses as they were looking for revenue and development. She said they basically supported the text amendment and that spoke volumes.

Commissioner Rouse said it was clearer to say that text amendment was more within the spirit of the plan and the Board was saying the same thing- too much of one thing was a bad thing, especially in this geographic area. Commissioner Benson said the market would decide what was too much. Commissioner Rouse agreed, but said the Village would suffer the market correction, like auto row. Commissioner Ginsberg said if you buy the market analysis to the extreme then the beauty supply store Perimeter Overlay District was wrong.

Commissioner Benson said he didn't think the proliferation concern on the entry points was that there was fear there were a lot of those types of stores; it was more we wanted these to be Oak Park's front door. He said Berwyn considered Cermak and Harlem to be their front door so they redid every space of that be their entry way. He said Oak Park didn't want to be considered a beauty supply town. Commissioner Moran asked if you made the assumption the Board didn't want its front door to be beauty supply stores, would that be wrong. Commissioner Benson replied it would be smug. He said Berwyn forced a Mexican restaurant to relocate because it didn't want to be considered a Hispanic town, this was the same thing.

Commissioner Fausch said it was a good question what kinds of businesses benefited being together and what kinds didn't. Mr. Failor said there were more restrictions in the Perimeter Overlay District other than just 500 feet separation restrictions of this use, there was a short list of prohibited uses like pawn shops.

Commissioner Fausch said the Village had other concerns besides just the market there was an overall view of things and ensuring good market conditions was one but not the only one, because in the Madison Overlay District one of the concerns was a vibrant street life.

Commissioner Rouse referred back to the staff report saying the rationale to this was not the gateway argument but was about diversification and providing multiple commercial stops for patrons.

Commissioner Benson said this type of spot zoning was a slippery slope. Chair Bolte said she wouldn't classify it as spot zoning.

Commissioner Gilbert said he was conflicted and could see both view points. He said the Village had an interest in maintaining an image and a commercial environment that had a diversity of uses. He said he was concerned with the Village getting involved in the free market of retail establishments and was there too many or not enough, that was for the market to decide. He said there were times when the Village should step in and limit or promote a certain type of business but he felt nervous narrowing it down. He said limiting service businesses made more sense but that these were different types of businesses.

Commissioner Moran said the proposal was not inconsistent with what the Village had done in other business districts; it would not be an exclusion of these businesses, it was separating these businesses for the future.

Commissioner Roberts said sometimes in business districts it was better to cluster similar price points together. Commissioner Ginsberg said he was not concerned about protecting competition; he was concerned that they'd all succeed. He said maybe it was a cluster market and if they all succeeded and then you'd get an issue of planning and what you wanted from a planning perspective. He said the auto example was a good one if they all succeeded it becomes a destination area for people to buy cars and we might not want that.

Commissioner Mann said he agreed with diverse land-use pattern planning, he felt like they touched on one aspect of Madison Street and maybe with the redevelopment of Madison, they needed to look at the street as a whole.

Chair Bolte said she referred back to the Madison Street Coalition's goal to create a diverse and varied land-use pattern that supported the plan. If there were several different places to visit you'd be likely to go there rather than if you there was one thing to go to and if you were not interested in that product you might not visit at all. She said we

would not prohibit them from being on Madison it was a separation from the same kind of uses.

Commissioner Fausch said the issue wasn't about promoting diversity of uses, it was clear they were for that, but the issue was should we be voting on the separation of one particular use rather than considering something that looks at the issue more broadly and looked at what should be separated and what shouldn't.

Chair Bolte asked Mr. Failor if the Madison Street Coalition was in a position to do a comprehensive look at uses. Mr. Failor said everyone worked off a work plan that the Board approved and that was not on for this year, but they could talk about it for next year to look at land uses. Chair Bolte asked if there were other uses that they'd want to suggest have minimum separation. Mr. Failor said there was a study done of the most type of uses Village-wide. He said it mapped out the top five like banks, beauty salons, etc, where they were and if there were clusters and it found beauty salons were highest that was the impetuous to change the Overlay District. Mr. Failor said they will be doing the comprehensive plan next year looking at land use village-wide to see what the land-use categories were.

Commissioner Rouse motioned to approve the amendment PC 11-04: Madison Street Overlay District Zoning Ordinance Text Amendment: The Applicant seeks approval of proposed amendment to the Oak Park Zoning Ordinance by adding to Section 3.9.6(F)(2) – "f. Beauty Supply Stores shall not be located within 500 feet of one another or a similar use.". Commissioner Moran seconded. A roll call vote was taken:

Rouse-yes
Moran-yes
Ginsberg-yes
Gilbert-no
Benson-no
Mann-no
Roberts-no
Fausch-no
Bolte-yes

Motion failed four to five.

Chair Bolte indicated Commissioner Ginsberg would be leaving for remainder of hearings. Chair Bolte called for a break at 9:00 p.m.

The meeting resumed at 9:12 pm.

Chair Bolte continued Lake and Forest Amendment: **PC 11-03: Lake and Forest Planned Development Ordinance Amendment**; The Applicant seeks to amend Plan Development Ordinance No. 2010-O-014. The applicant is proposing to remove the hotel and condominium components from the project and add up to 270 residential rental units

as well as increasing the number of parking spaces from 510 to 588 spaces and modifying the exterior materials and use. The applicant is also seeking two allowances for Density and Parking. CONTINUED from October 6, 2011

Chair Bolte opened cross examination of the appraiser Mr. Michael MaRous.

Mr. Kevin Murphy, 210 Forest Ave. Mr. Murphy asked Mr. MaRous to discuss the Uptown Redevelopment Project in Park Ridge. Mr. MaRous confirmed that he was an alderman from 1997-2005 and was involved in the negotiation and acquisition of properties. Mr. MaRous said he became mayor from 2003-2005 and went to the development committee with a request for qualifications and then went through proposals and the presentation process. Mr. MaRous said he was involved with the negotiation team to negotiate all facets of deal with the joint venture developer and part of that process involved dealing with traffic studies, IDOT, TIF issues, school issues, moving a water reservoir and then finally, moving ahead with the \$120 million dollar project.

Mr. Murphy asked if the project received a Gold Award from the American Planning Association. Mr. MaRous said it had received many awards but wasn't sure of all of them. Mr. Murphy asked if Park Ridge was similar to Oak Park, both being an older established community adjacent to Chicago. Mr. MaRous agreed. Mr. Murphy asked if the Uptown site, as a highly visible location in the central core of Park Ridge, was similar to the Lake and Forest site. Mr. MaRous replied it was like it but Park Ridge's site was more visible because it had more road frontage. Mr. MaRous said the Lake and Forest parcel only had one arterial, Lake Street. Mr. Murphy asked if both areas were considered the commercial and cultural centers of their communities with urban/suburban characters centered on the train station. Mr. MaRous agreed. Mr. Murphy established the Uptown site was 5.5 acres, 3.5 times larger than the Lake and Forest site. Mr. MaRous agreed.

Mr. Murphy discussed the Uptown projects grouping of buildings, saying the project consisted of three-, four- and five-story buildings. Mr. MaRous agreed, saying the 5-story building had two additional levels underground that were parking. Mr. Murphy asked if the project had 24 townhomes and 165 condos, translating to 34 residential units per acre. Mr. MaRous agreed. Mr. Murphy asked if this was less than the 270 units proposed for Lake and Forest, translating to 180 units per acre of land. Mr. MaRous agreed but said the Uptown site had significantly more retail. Mr. Murphy said the Uptown project had 71,000 square feet of commercial space, which was less dense than the 25,000 square feet at Lake and Forest.

Mr. Murphy said the Uptown project provided 702 parking spaces for the condos and commercial spaces. Mr. MaRous said he couldn't recall but that there was a 100 space component that the city bought back. Mr. Murphy asked if a substantial amount of those spaces were in an underground parking garage. Mr. MaRous agreed. Mr. Murphy asked if the townhomes each had a two-car private garage. Mr. MaRous agreed.

Mr. Murphy asked if the Uptown site provided substantial public green spaces and plazas. Mr. MaRous said that was debatable as part of it was an existing library site

across the street that was part of the project and there was also a park where improvements were made. Mr. Murphy asked if there was a plaza and fountain area within the development. Mr. MaRous agreed.

Mr. Murphy asked if Mr. MaRous thought the Uptown project was much less dense than the Lake and Forest proposal. Mr. MaRous replied the coverage was similar but the height was lower which would reflect lower density.

Mr. Murphy asked if the Uptown project provided more parking. Mr. MaRous replied on a per-unit basis, yes.

Mr. Murphy asked if there were any 20-story or 10-story buildings located in downtown Park Ridge. Mr. Acosta objected to the questioning, saying Oak Park and Park Ridge were different communities even if there were similarities. Chair Bolte asked Mr. Murphy to get on to questions that relate to the amendment. Mr. Murphy asked if there were any buildings taller than the 5-story Uptown buildings in Park Ridge. Mr. MaRous said there were, but not in the downtown area.

Mr. Murphy referenced Mr. MaRous' September 2011 report saying it indicated there did not appear to be any negative effect on residential property values in the area related to the approval of the original development. Mr. MaRous replied that was one of his conclusions. Mr. Murphy said the approval of the original development by the Village Board was in March 2010. Mr. MaRous agreed, saying the approval was preceded by two years of activity and known potential impact on the immediate neighborhood. Mr. Murphy asked if real estate brokers in Oak Park had been including information about the approved development in listings. Mr. MaRous replied it was a grey answer, if listings were specific to development then no, but alluding to the benefit of new commercial development on Lake Street, yes. Mr. MaRous said he conducted a phone survey with brokers that asked if the approval of the mixed-use hotel and condo building had a negative impact on their properties and they all said no. Mr. Murphy asked if Mr. MaRous had seen any listings for single family homes in the area of the project that informed prospective buyers that a tower was about to be built down the street. Mr. MaRous replied he did not see that.

Mr. Murphy asked if sellers or their listing brokers have been informing prospective buyers of the approved development. Mr. MaRous replied based on the interview process they had been. Mr. Murphy asked if it was in the written listings. Mr. MaRous replied he hadn't seen it in writing but his understanding was that they were informing interested parties.

Mr. Murphy referenced Mr. MaRous' data saying it included list and sale prices for 10 single family homes proximate to the development site. Mr. Murphy asked if the list price was the price the property was listed for sale at the time of the sale. Mr. MaRous said it was, where possible, they attempted to track the original list price but due to the weakness of the market certain times there were price drops and the list prices could have been higher initially.

Mr. Murphy asked if the data listing sheet received from the Multiple Listing Service contained only one list price. Mr. MaRous replied sometimes it would show multiple list prices, sometimes only one.

Mr. Murphy asked what the marketing time column in Mr. MaRous' report indicated. Mr. Ma Rous said it was the time between the initial list of a property and the time it went under contract. Mr. MaRous said they tried to catch if properties were taken off the market for a time and combine that period with a list period to be fair.

Mr. Murphy asked of the 10 properties listed in the table in the report, three were on Grove Avenue. Mr. MaRous agreed. Mr. Murphy indicated the 502 N. Grove property was north of Chicago Avenue. Mr. MaRous agreed saying it was the one outlier, the rest of the properties were more concentrated to the property site except for one other. Mr. Murphy pointed out 1010 N. Grove was north of Division Street. Mr. MaRous agreed. Mr. Murphy asked if only two properties listed were located on Forest Avenue. Mr. MaRous agreed, saying five were clustered in close proximity to Forest. Mr. Murphy said 223 Forest Avenue was sold five months prior to the approval of the project. Mr. MaRous agreed, saying it was a several-year project and it was quite public and obvious that the project might happen. Mr. Murphy said 300 Forest Avenue sold four months after the approval. Mr. MaRous agreed. Mr. Murphy said the 223 Forest Avenue sale was for 90% of the list price but the 300 Forest Avenue sale was for 78% of the list price. Mr. Murphy asked what could be concluded about property values after the March 2010 approval of the original project, based on those two data points. Mr. MaRous said it was two sets of values, as the 300 Forest Avenue property had a listing price of \$1.5 million. Mr. MaRous said 223 Forest property was just over \$1 million, so the higher priced one had a more limited market and was hit harder by the market. Mr. MaRous said the higher market was a thinner market and took longer to sell and reflected a lower percentage.

Mr. Murphy asked what, if anything, could be fairly concluded from the 10 data points listed if one was a mile away and another was before the approval of the original project. Mr. MaRous replied in a very weak market, on average, the 10 data properties sold at a much tighter or lower discount to list price than the Oak Park market in general and that's why ten were included as opposed to two.

Mr. Murphy asked if there was any actual data regarding the actual impact of construction of a 21-story tower upon the value of single family homes located on the same street or within the block of such towers. Mr. MaRous replied there was no data in Oak Park, the Whiteco building was 14-story and the residential impact was across Harlem into River Forest and there was no impact to that residential area. Mr. MaRous said for a 21-story tower you'd have to go to Evanston and most of Evanston's downtown projects were extremely successful but that he did not do any studies on the residential impact in Evanston. Mr. Murphy asked if Mr. Glazier were proposing to build a 21-story tower a block from Mr. MaRous' home in Park Ridge, would that discourage or limit prospective buyers and what they would pay for a single family home. Mr. MaRous replied he did not live near a commercial development; it was not a fair comparison and

also there was already a 21-story building approved for the project, it was not a proposed development.

Dr. Steven Harris, 225 N. Kenilworth. Dr. Harris asked if Mr. MaRous in his role as alderman and mayor looked at the value and tax benefit versus the service liabilities of the Uptown project. Mr. MaRous said those were two key points but not the only two. Dr. Harris asked if the project's tax benefits completely offset the tax costs for the community. Mr. MaRous agreed. Dr. Harris asked if that evaluation was done on the Lake and Forest project. Mr. MaRous said he did not do a tax impact study, but he did look at financial and projections based on tax increments and based on sales tax revenue and other economic benefits and on the face of it, it looked positive. Dr. Harris asked for an estimate of the property tax revenues. Mr. MaRous said a very general number for the commercial component would be \$5 per foot or as high as \$8 per foot when stabilized for a total of \$125,000 to \$200,000 per year. Mr. MaRous said the residential component would be somewhere in the range of \$1 million. Mr. MaRous said a significant projection of the retail sales tax would be somewhere over \$1 million per year and that wouldn't include any revenue or taxes generated by parking, just general numbers.

Chair Bolte concluded cross examination and went over the additional data items requested in earlier meetings.

Mr. Brian Vitale from Gensler presented changes to the north wall and details of the window walls during an on-screen slide presentation. Mr. Vitale explained how they were changing the planes of brick to give interesting details by taking panels of brick and creating a pattern. Mr. Vitale said this would add texture to the façade.

Mr. Vitale said the corner where the restaurant was proposed would be set back and have 25-30 feet for outdoor seating. He said the north half of the building would have smaller windows for a more residential feel to it, with architectural precast that was similar to limestone, and the pattern would be varied between operable and fixed windows. Mr. Vitale said one window wall would be floor-to-ceiling glass with mullions that would be clear-anodized aluminum. Mr. Vitale said the Lake Street window wall would be clearer; the mullions would not have caps so the appearance would be more open and glazed. Mr. Vitale said the balcony would be the transition between the two window walls.

Chair Bolte asked about the potential for new trees in the median. Mr. Vitale replied there was a small median that smaller scale trees could be located. Commissioner Fausch asked if there was room for vines. Mr. Vitale replied space was not an issue it was more the north location and they needed to test it and have the landscape people weigh in on if it would work. Commissioner Moran asked if that would be along the entire wall. Mr. Vitale replied he wasn't sure as they'd needed to consult with the landscape people. Commissioner Moran asked for copy of the presentation and Mr. Vitale agreed.

Commissioner Gilbert asked if the portion of the facade with the precast had recessed windows. Mr. Vitale confirmed the design intention was a true punched window.

Commissioner Gilbert asked what was the depth to the exterior aluminum mullions. Mr. Vitale replied it was a standard cap that was probably not more than an inch.

Commissioner Fausch asked about the differentiation of the unit types. Mr. Vitale said unit types would change throughout the building. Commissioner Mann asked about the green screen on east side wall. Mr. Vitale said it was in the original agreement so they brought it over and that it could be vines. Commissioner Mann asked about the pattern on the north side was that related to the pattern on the precast and what was the logic to the pattern. Mr. Vitale replied the logic in the pattern was from construction methodology because they were panels and if they made two, they could reverse it and have four. Mr. Vitale said putting them in sequential order would be both random and playful.

Chair Bolte asked about the Historical Preservation Commission recommendation memo that referenced a canopy over the garage loading dock entrance and moving the cooling towers toward the center of the roof. Mr. Vitale said both were great suggestions, moving the cooling tower made a lot of sense. Mr. Vitale said in addition to the canopies, they might be able to push the entries in a bit to create depth.

Commissioner Roberts asked about the corner with the round pillars, how would they make it look more appealing. Mr. Vitale said if the building would be concrete, the pillars could be exposed concrete finished cleanly or if the building would be steel, the pillars would have a column cover matching the rest of the metal works. Mr. Vitale said it depended on where they go with the structure of the building on how they'll do the columns. Commissioner Gilbert said even if it were concrete you could still clad those. Mr. Vitale agreed. Commissioner Gilbert said for the main corner's first impression he was concerned it would be plain concrete and even if incorporating public art there was an opportunity for the columns to become sculptural in some way. Mr. Vitale replied there was a lot of opportunity in the area and that was where the public art was proposed to go and what they've been keying on was the outside activity.

Commissioner Fausch asked about the canopy and if it would make a barrier between the floors of the restaurant. Mr. Vitale said the canopy was tall but they wanted to mimic the shadow lines up top and there was an opportunity to uplight it in the evening.

Chair Bolte moved to public testimony.

Dr. Steven Harris, 225 N Kenilworth Ave. Dr. Harris said he drove here and circled the lot and parked on the street because it was so crowded and that went to issues of need for peak parking, not just average parking. He said there was currently a 340-space parking garage and we should end up with a 340-space parking garage for public use. He said we could rebuild the current garage for less than the developers were saying and so that was a subsidy to the investors. Dr. Harris said Mr. Murphy's analysis showed that the requested variance on the parking alone was worth over \$3 million dollars. He said he thought Mr. Glazier's answer on subsidies during cross was misleading. Dr. Harris said the appraiser said the total property tax from the building might cover the costs of 50 students living in the building. Dr. Harris said we should not let the developer privatize

his gain and socialize the pain to the community. Dr. Harris said we shouldn't let Oak Park be taken advantage of and he saw another Colt Building. He suggested there be no variance in the amount of parking spaces authorized but instead follow the ordinance and increase the number required.

Ms. Georga Parchem, 438 Augusta and 221 N. Kenilworth also representing the 19th Century Charitable Association. Ms. Parchem said the concerns on the façade that the Historic Preservation Commission highlighted were addressed by the architect. Ms. Parchem said the 19th Century Charitable association was at a crucial moment in its history as it had been tax free and then was slapped with a \$95,000 tax and they also had a lot of restoration needed for their historic building. She said the proposed building on the corner looked large and frightening to them and they didn't know what the digging down would do to the 19th Century building which they treasure. She said they wanted the Village to address that with them and they'd like Sertus partners to pay for an independent consultant to document the state of the 19th Century building so they would know if something happened to the building and it would be taken care of by Sertus or the Village. Ms. Parchem also wanted to know if the barriers would be near their lot during construction.

Ms. Judy Eckberg, on the board of 19th Century Charitable Association. Ms. Eckberg said she had concerns about the parking variance. She said the parking garage was one pie divided into two uses, private apartments and public spaces. She said if the residential side was not enough then the public spaces in the garage would be impacted. Ms. Eckberg said it was disappointing that the development will result in a net reduction of public parking spaces. She said they believed a binding plan was needed for Sertus and the Village to keep the 300 parking spaces available for short-term use by the public on a first-come, first-serve basis. She said without such a plan they opposed granting the parking variance. Ms. Eckberg said they were also concerned about the use of the 19th Century Charitable Association surface lot for any use other than for parking. She said they leased the lot to the Village as a shared parking lot. She said 27 of the spaces abut the current structure and wanted to know what plans the Village and Sertus had made to make sure these lots remained operational during construction and demolition. She requested that Sertus and the Village be required to compensate the 19th Century Association for any other use of the space.

Ms. Eckberg said in recent years the 19th Century Charitable Association had doubled in size and the building use and the events that support the organization had also doubled in size. She said a lack of parking would jeopardize their continued growth and survival. She said their concerns about banquet parking were not addressed. She asked the Plan Commission to stipulate, as a condition to granting the variance, it was the responsibility of the Village and Sertus to find and pay for substitute parking for 200 vehicles for events from the time the current garage was taken out of service until construction completes.

Ms. Pat Davis, 937 N Harvey, also member of the 19th Century Charitable Association. Ms. Davis said to not allow the building of the environmental disaster at Lake and Forest. She said she saw an adverse environmental impact of such a large building in a small

space. She said the shadow from the tall building would cause changes in the eco-system, with sheets of water and ice coming down and very little open space as well an increase in air and noise pollution from construction and 200 new residents. Ms. Davis said Oak Park couldn't keep the water out of her single family home and she saw problems with the old infrastructure keeping up with 200 new residents running water, flushing toilets, etc. She said outside of the environmental impact, the building would have an adverse impact on the 19th Century Charitable Association building. She said she'd like to see logical development in Oak Park, not squeezing an oversized development into a small space. Ms. Davis said this was beautiful Oak Park, not Chicago or New York City where everything was built to the sidewalk, she asked the commissioners to think about the consequences for the community as a whole.

Ms. Susan Mlot, 517 Forest Ave. Ms. Mlot asked the commissioners not to approve any parking variances, saying she was tired of seeing residents and visitors fighting over parking. She said she agreed with comments that the Village was giving over too much of the parking amenity for private use and not enough for public access. She said she felt the architectural renderings were beautiful but not Oak Park, where people come here for quality of experience, which has to do with intimacy. She said if the 21-story building must go forward she asked that the commission consider an aesthetic relevant to the Village and more appropriate to what they value and treasure. Ms. Mlot said she was disappointed the building wouldn't be a cutting-edge, LEED building which would be an opportunity for Oak Park to stand out.

Mr. Paul Hamer, 325 N. Forest Ave. Mr. Hamer pointed out Mr. MaRous didn't allow a building taller than five stories in Park Ridge. Mr. Hamer said Mr. MaRous did a low-density building and provided ample parking. Mr. Hamer said the purpose of government was to first do no harm, the second purpose was to do actual good for the community, and the third purpose was to do things fairly. Mr. Hamer said what was going on was the transfer of private property rights to the developer and we were not being treated equally or fairly. He said he lived across the street from the Whiteco project and the pounding of driving of the piles collapsed his front porch and after the project was completed a woman drove through the front porch because she was texting. Mr. Hamer said in his experience with large developments there had been dramatic increases in traffic and incivility, with people throwing trash out the window. Mr. Hamer said with Whiteco, the developer hired Oak Park attorneys and architects to represent them and as soon as the project was approved they fired the architects and went back to the original team. He said first they saw wonderful renderings of a beautiful building but they ended up with a Russian-style office complex.

Mr. Hamer said they have the world's smallest Trader Joes with the world's smallest parking lot and giant trucks have had to park in front and it was bad planning that negatively impacted the neighborhood. He said there had not been any compensating benefits from the development, the taxes have not gone down and the building had been generating less property tax than promised. Mr. Hamer said things that were promised at beginning of project were not at the end of the projects. He said this was something the

government should be protecting us from; much like the mayor of Park Ridge protected them from an encroaching, huge development.

Ms. Lisa Kramme, 165 N. Kenilworth Ave. Ms. Kramme said a pervasive concern among condo owners in Oak Park was the depressed condo market and what that was doing to associations. She said the building next to hers had adopted a rental policy because properties were not moving and her building was looking to enact the same thing to prevent short sales and foreclosures. Ms. Kramme said she was really concerned about the development because it was a lot of rental properties and could further devastate condo associations. Ms. Kramme said her property value was down and her taxes went up, and she couldn't sell and if she had to move to a rental because of financial hardship she might not be able to compete with the new building. She said it was something that was pervasive throughout Oak Park. She said it was a beautiful building but she faces west and that would break the continuity of a sunset at night.

Ms. Karen Brammer, 210 Forest Ave. Ms. Brammer said on October 5, 2011, Steve Jobs died and he was relevant to Oak Park in some of these issues. She said Steve Jobs was the American dream- going from poverty to being a billionaire. She said he cared more about quality and making the best and doing things right and making things beautiful than he did about economic gain. Ms. Brammer said they wanted to see development made of quality materials, buildings that maintain, enhance and restore the charm and historic character of the downtown. She said economic gain shouldn't be the only priority. Ms. Brammer said a 20-story glass tower wasn't the right building for the space or for downtown Oak Park, but she did appreciate the efforts of Sertus and the architects to build a beautiful building. Ms. Brammer said Lake Street was a commercial street, but Forest Avenue and Ontario Avenue were not. She said Forest and Ontario were highly pedestrian, filled with children on skateboards, tourists taking pictures and she was highly concerned about adding a building with 270 new residents and potential drivers. Ms. Brammer said she knew there would be commercial traffic coming back and putting 270 apartments on top of that was troubling. She said it was a delusion to think they would not have cars and would not drive. Ms. Brammer said Lake Street was a truck route and Forest and Ontario were not and so the access to the building needed to come on Lake Street. She said the building had plenty of room on the east end to add access to cars and trucks.

Ms. Brammer said for rental property owners this would change the rental market in Oak Park, and what that would make Oak Park. She said we wanted to retain a multi-racial, multi-economic community but we were building an expensive, high-end rental property. She said if she owned a 3-flat on Ontario she might think to charge more to compete with the property and that would happen all over town.

Chair Bolte said public comment will conclude at the November 3, 2011 meeting with closing comments. Chair Bolte said at that meeting they will also have discussion. Chair Bolte asked if commissioners who had missed meetings were caught up and they agreed. Chair Bolte said at the November 17, 2011 meeting they will approve the findings of fact and that will go the Village Board for its December meeting.

APPROVED
November 17, 2011

Commissioner Fausch motioned to continue the meeting on November 3, 2011 and adjourn. Commissioner Rouse seconded.

Meeting adjourned at 11:12 pm.

Angela Schell,

Recording Secretary

G

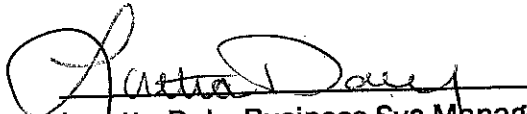
VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

Item Title: Resolution Authorizing a Public Art Grant to the Oak Park River Forest Civic Theatre at 1010 Madison for the installation of new roofing in an amount not to exceed \$15,000.

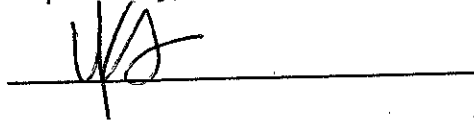
Resolution or Ordinance No. _____
Date of Board Action: *November 28th, 2011*

Staff Review:

Department Director Name:


Loretta Daly, Business Svc Manager

Village Manager's Office:



Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):

Staff is recommending that a grant investment outlined below be funded from the 2011 Public and Performing Arts Budget:

Approval of up to \$15,000 for installation of new roofing at the Oak Park River Forest Civic Theatre DBA Madison St. Theatre at 1010 Madison St. The Madison St. Theatre has been in

existence for 50 years and at their current location for the past 26. The theatre has been an economic engine for Madison St., and their new mission as a true Performing Arts Center will continue to bring significant benefit Madison St. and the community. Their partnership with the award winning Circle Theater has been very successful with Circle Theater renewing their partnership with the theatre earlier this fall. The grant will assure the theater will stay open during throughout the winter. The Grant will cover approximately 33% of the total cost for the replacement of the roof of \$44,365.

Intergovernmental Cooperation Opportunities (describe if there are opportunities for cost savings or better service with this item by joint participation from other local Oak Park governmental agencies, or regional municipalities):

The Madison St Theatre seeks donations from a variety of sources, as does many other non-profits, in hopes of creating a varied portfolio to support operations.

Item Budget Commentary: (Account #; Balance; Cost of contract)

Rather than breaking our gaining momentum in advancing public art and to create a minimal program to support the performing art centers during very challenging times, as the vetting of the per-cent for arts continued, the 2011 adopted budget included a \$50,000 public and performing arts budget, which equates to approximately 1% of the 2011 CIP Budget. 3095-43700-101-550690

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

The Board could deny the grant and use the public art fund for other opportunities.

Proposed Recommended Action: Approve the Resolution

RESOLUTION

AUTHORIZING A PUBLIC ART GRANT TO THE OAK PARK RIVER FOREST CIVIC THEATRE AT 1010 MADISON FOR THE INSTALLATION OF NEW ROOFING NOT TO EXCEED \$15,000

BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized and directed to approve the Public Art Grant to the Oak Park River Forest Civic Theatre for the installation of new roofing not to exceed \$15,000.

THIS RESOLUTION shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 28th day of November, 2011 pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ADOPTED AND APPROVED by me this 28th day of November, 2011

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

MADISON STREET THEATER

Who is Madison Street Theatre for?

- The people of the village of Oak Park and the Western suburbs of Chicago
- Future generations of children, and our children's children

Why are Performing Art Centers important?

- Grow individuals
- Source of entertainment and relaxation in a stressful world
- Grow community
- Create and stimulate conversation around the issues of life
- Grow understanding
- and relationship between people

What does Madison Street Theatre bring to the area?

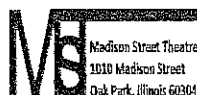
- Presence and history
 - o 26 years at 1010 W. Madison
 - o 50 years in village of OP
- A cultural home that continues to demonstrate and celebrate the values of Oak Park; diversity, sustainability, and community.
- An economic engine that will bring people from all over Chicago to Oak Park to eat in our restaurants, shop in our stores and stay in our B&B and hotel(s).
 - o A creator of jobs and sense of wellbeing and prosperity.

How can we think about Madison Street Theatre?

- Madison Street Theatre is not a business, but a 501c3 non-profit organization that functions as
 - o a catalyst for the relational and emotional infrastructure of Oak Park.
 - o a key pillar of the cultural Infrastructure of Oak Park
 - o facilitator for understanding, stimulating thought and conversation about ourselves and our community – the world of the mind and our perception of the world. MST serves to enrich our souls and keep us happy.
 - o a people magnet that will bring traffic from all over Chicago to Oak Park, stimulating growth on Madison Street

Conclusion

Madison Street Theatre is a gift waiting for acceptance and support. MST was driven by the vision of The Village Players beginning in 1961. It was built with the labor of that theatre company and preserved by the loyal patronage of generations of Oak Parkers. The MST Board seeks to create a performing arts center that fulfills the desire of the residents that dates back to 1987. With the help of the Village of Oak Park we can create a permanent home for the performing arts in Oak Park – a place where all are welcome, relationships develop, understanding deepens, our children are exposed to and educated by the arts and where the performing arts community can come together, grow and give back to the community the supports it.



THE THEATERCOMPARISON IN OAK PARK

Madison Street Theatre

Circle Theatre

Festival Theater

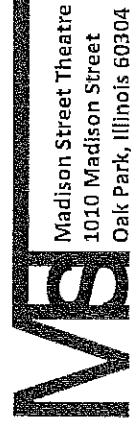
Open Door Theater

<p>Mission Statement</p> <p>The mission of Madison Street Theatre is to provide a top flight entertainment and education space and a cultural home for the performing arts community while operating on a daily basis using the principals of sustainable living.</p>	<p>Circle Theatre is an artist-based company whose mission is to produce exciting and innovative theatre accessible to our diversified suburban and city audience. Variety-filled seasons include drama, comedy, musicals, and new works. Circle Theatre challenges, entertains, and educates audiences and artists of all ages.</p>	<p>Oak Park Festival Theatre is Chicago's premier outdoor professional theatre company, dedicated to excellence in performance — from Shakespeare and other celebrated classics to stimulating contemporary plays.</p>	<p>Open Door Repertory Company, a professional non-equity theater organization, is to produce plays and provide theater education to serve audiences and theater artists of all ages and backgrounds throughout the Chicagoland area, in order to inspire, entertain and provoke emotional and intellectual response.</p>
<p>Current Home</p> <p>1010 W. Madison Oak Park</p>	<p>1010 W. Madison Oak Park</p>	<p>1010 W. Madison Oak Park (winter) Austin Gardens (summer season)</p>	<p>Hatch Auditorium 1000 N. Ridgeland Moving to 200 W. Harrison In the Arts District</p>
<p>Ownership</p> <p>MST owns its space with small mortgage</p>	<p>Leases space from MST for \$50,000 per year</p>	<p>Leases 65 seat Studio space from MST in winter for \$1500 per production</p>	<p>Leases space - soon to own space with mortgage?</p>
<p>Theater Size</p> <p>185 seat main stage & 65 seat studio theater. Dressing Rooms, set construction shop, costume and prop storage</p>	<p>MST 185 seat mainstage exclusive rights to main stage. Use of shop, dressing rooms etc</p>	<p>MST 65 seat studio theater - being courted by Open door. Use of shop, dressing rooms etc</p>	<p>70 seat storefront space being built out by the theater company don't know source of the money.</p>
<p>Operating Cost</p> <p>\$4500 per month including mortgage and staff. All revenue currently pays operating cost, building maintenance and improvements.</p>	<p>All revenue from ticket sales and fundraising pays for performance, material rights and lease of theater</p>	<p>All revenue from ticket sales and fundraising pays for performance, material rights and lease of theater</p>	<p>All revenue from ticket sales and fundraising pays for performance rights and mortgage on theater</p>
<p>Organization Specialty</p> <p>Development of superior performing arts center space, powerful education program and diversity programs. OP Park District partnership with MST for their program.</p>	<p>It's all about the performance. Great expertise in set design, stagecraft, choreography with high level of acting and music. More traditional plays, heavy on musicals, some edgier theater.</p>	<p>It's all about performance and acting. The area's only Equity Company, in general means higher level acting. Emphasis on Shakespeare and classics with some edgier theater.</p>	<p>Most akin to the old Village Players. A "community" theater. Actors cut their teeth and get experience on the way to equity professional status. Emphasis on diversity and African American playwrights.</p>

Other Theater Companies in Oak Park Area

Sense of Urgency Theater - Oak Park

16th Street Theater - Berwyn (Park Dist. Building)



MADISON STREET THEATRE PLANNING AND NEEDS

Background: Village Players has operated 1010 W. Madison since 1984. During most of that time, the focus was on the ART not the FACILITY. The company did not pay sufficient attention to the most valuable asset, the building at 1010 W. Madison. In 2007, the façade was returned to the original brick, the lobby and entrance were remodeled, and some of the needed ADA upgrades were added.

In June 2010, financial difficulties dictated the release of Village Players staff. A new business model was put in place; 1010 W. Madison would operate as a performing arts center, serving the performing arts community and residents in the western suburbs. Madison Street Theatre was envisioned as a home for many performing arts groups including an anchor resident theater company. In addition to the resident theater company(s), the space would be used as an education space and for performances by local and touring musical/dance groups, storytelling, comedy, improv etc, acts not requiring sets or set design.

2012 and Beyond: Our goals include

- to produce a regular blues series during 2012/2013, progressing to monthly events culminating in a major blues festival.
- to produce an original work that tells the story of Oak Park and the western suburbs modeled on Scrap Mettle Soul Chicago from 2002. This work would be produced in conjunction with Epic productions, the OPRF school systems, the OPRF park district, Village of Oak Park and other important institutions in the village of Oak Park.

Current Facility Urgent Needs:

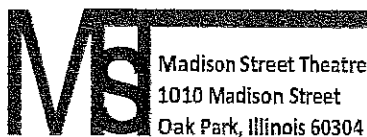
1. One HVAC unit needs significant repairs before winter. Cost of repairs close to cost of replacement. All three units should be replaced with energy efficient models at a cost of \$28,500.
2. Roof replacement: Roof is past expected life. Ongoing emergency repairs dictate prompt replacement. Approximate Cost \$60,000.

Desired Current Facility Upgrades Beyond Mechanicals:

1. Renovate theater up to LEED certification standards – becoming a model 1922 vintage building showcasing sustainable Oak Park initiative with commercial real estate.
 - a. Technical support by Seven Generations ahead and OPRF Community Foundation
 - b. Financial Support by Village of Oak Park Madison Street TIF and local & national foundations, fund raising, private donations through capital campaign, possible federal and state funds.
2. Reconfiguration of the main stage seating and performance area with Circle input
3. Upgrade lighting and sound.
4. Box office and website functions still needed.
5. Addition of storage area, dressing rooms and maybe set shop behind building (new construction)
6. Purchase of Frame Shop adding 9,000 feet to the space. Move office area, create entrance/gallery space, rehearsal rooms, education rooms etc.

Revenue Goals:

- Bring facility revenue up to \$100,000 + per year by 2014.
- Develop a facility maintenance reserve of \$40,000 – \$50,000





VILLAGE OF OAK PARK
PERFORMING ARTS FACILITIES PROGRAM

daly@oak-park.us

Name of Organization: OPRE CIVIC THEATRE DBA MEDISONS ST THEATRE

Address: 1010 W MEDISON DR 60302 Owner Tenant

Contact Person: Tom Wendorf 7088709779

Type of Organization: Theatre - Performing Arts Center (Attach Verifications)
(Attach Recent Budget Audits)

Type of Assistance Suggested:

- ADA Compliance
- Electrical Upgrade
- HVAC Upgrade/Replacement
- Plumbing
- Roof on Windows
- Marquee
- Stage/Lighting
- Other

\$44,365

from

Amount Requested: 4,000.00

Related Organization Investment: _____

History of Organization: ~~OPRE~~ Civic Theatre was an offshoot of the OP Park District. SOI is 9 cents and in 1961 moved to 1010 W Madison in 1984 when building was purchased and converted into a theater.

From 2010 a number of incidents were reported by the Board with respect to lower seating levels and resident tickets company initially could not be and open to other performers is 9-0000 for their use.

Signature of Representative: _____



Date: 8/16/11

August 15, 2011

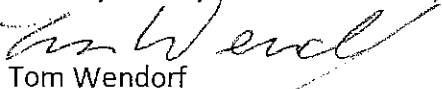
Tom Barwin
Village Manager
Village of Oak Park
123 Madison Street
Oak Park, IL 60302

Dear Tom,

A serious situation has arisen at Madison Street. When we spoke in March 2011 about submitting a TIF request for The Madison Street Theatre, I mentioned that deferred maintenance items needed to be addressed immediately. A major deferred item was the roof, which is about 10 years past expected life. We were managing to get by addressing small leaks in the ceiling with temporary measures. The severe weather and heavy rain in July significantly increased the leaking problems. There are currently three major leaks in the roof; one each behind the main stage, above the shop and above the studio theater. I met with Chuck Nyko of Lindholm Roofing of Oak Park to see if there was a temporary fix available to us. The only possibility was the spreading of large tarps over the roof, at a cost of \$5,000. With no way to securely attach the tarp to the building, significant wind and rain would likely displace the tarp and render it ineffective.

We need to secure the building to prevent further damage. We cannot predict how long a TIF request might take for consideration and approval. We are completing negotiations with Circle Theater for 2011/2012 season through December 2012. Circle Theater is requesting guarantees that leaking does not interfere with their upcoming shows. These concerns puts the future of the theater at some risk, Replacement of the roof and needed gutter repair would cost \$44,365. A copy of the estimated replacement cost is attached and these prices were verified on August 12, 2011. I am reaching out to you for an approach we might take to address this urgent problem.

Thank you for your consideration,


Tom Wendorf

President of the Board
Madison Street Theatre
1010 W. Madison Street
Oak Park, IL 60302
708-870-9779
Twendorf47@gmail.com

Cc: Loretta Daly

LINDHOLM ROOFING, INC.

7115 W. North Avenue, #203
Oak Park, Illinois 60302



All types of roofing
All types of repairs
Gutters & Downspouts
Siding/Soffit/Fascia
Windows
Tuckpointing
Fully Insured

Quality Work

(708) 524-1767

MAIN WAREHOUSE
3588 N. MILWAUKEE
CHICAGO, IL 60641

**Commercial
Residential**



Village Players Theatre
1010 W. Madison
Oak Park, IL 60302

February 15, 2011
VIA E-MAIL AND MAIL
rfoley@village-players.org
c/o Rosemary Foley

RE: GUTTER AND DOWNSPOUT WORK TO UPPER MAIN FLAT ROOFING TO 1004-1010
W. MADISON ST., OAK PARK, IL (WITH APPROVAL FROM VILLAGE)

1. We will remove existing gutters and downspouts, if present and haul them away.
We will install 2 new 8 inch galvanized steel gutters. Seams will be soldered.
Brackets will be installed every 3 feet.
We will install 6" round galvanized steel downspouts to same locations as previous downspouts.
2. All work will be done by fully insured workmen.

THIS WORK CARRIES A TWO YEAR GUARANTEE
(Please inquire about details of guarantee)

THREE THOUSAND EIGHT HUNDRED SIXTY FIVE DOLLARS.....\$3,865.00

TERMS: NET DUE UPON COMPLETION OF WORK

* This contract does not include, unless expressly specified, any mold abatement, removal or cleaning. In addition, any warranty given to you under this contract does not include the cost to abate, remove or clean mold that may be found on the premises in the future.
A service fee of 1½ % per month will be added to any balance over 30 days, with an annual rate of 18%. Any costs, including legal costs, incurred by Lindholm Roofing to collect payments will be paid by customer.

LINDHOLM ROOFING, INC

CHUCK NYKO
PROJECT MANAGER

PURCHASER

STATE LICENSE NO. 104—001033

LINDHOLM ROOFING, INC.

7115 W. North Avenue, #203
Oak Park, Illinois 60302



All types of roofing
All types of repairs
Gutters & Downspouts
Siding/Soffit/Fascia
Windows
Tuckpointing

Quality Work

(708) 524-1767

MAIN WAREHOUSE
3588 N. MILWAUKEE
CHICAGO, IL 60641

Commercial
Residential

Fully Insured

Village Players Theatre
1010 W. Madison
Oak Park, IL 60302

March 7, 2011
VIA E-MAIL AND MAIL
rfoley@village-players.org
c/o Rosemary Foley

RE: ROOFING WORK TO UPPER MAIN FLAT ROOFING TO 1004-1010 W. MADISON ST.,
OAK PARK, IL (ROOF OVER WITH APPROVAL FROM VILLAGE)

1. We will provide and install a Duro-Last Roof system. Duro-Last is a PVC membrane containing UV stabilizers, UV absorbents, heat stabilizers, flame retardant, and biocides. This system has been engineered for longevity and cost effectiveness. The membrane and flashings shall be precision fabricated to your buildings specifications in a controlled factory environment. After completion a Duro-Last Roofing factory representative will inspect the installation and upon final approval, a 15 year transferable full labor and material warranty will be issued. This warranty is provided by Duro-Last Roofing, Inc. and offers maximum protection, including coverage for consequential damages that result from material and/or installation defects. Please ask to see full warranty details.
2. We will install termination bar with cover.
3. 1" of isocyanurate roof insulation will be applied to roof deck.
4. We will install (10) two-way vents.
4. All work will be done by fully insured workmen.

WITH DISCOUNT

FORTY THOUSAND FIVE HUNDRED DOLLARS.....\$40,500.00

TERMS: 1/3 DOWN PAYMENT, BALANCE DUE UPON COMPLETION OF WORK

- * The cost of any necessary permits and/or fees are not included. We will make the application using our STATE LICENCE and our INSURANCE. You will pay the actual COSTS ONLY.
- * This contract does not include, unless expressly specified, any mold abatement, removal or cleaning. In addition, any warranty given to you under this contract does not include the cost to abate, remove or clean mold that may be found on the premises in the future. A service fee of 1 1/2 % per month will be added to any balance over 30 days, with an annual rate of 18%. Any costs, including legal costs, incurred by Lindholm Roofing to collect payments will be paid by customer.

LINDHOLM ROOFING, INC

CHUCK NYKO
PROJECT MANAGER

PURCHASER

STATE LICENSE NO. 104-001033


VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

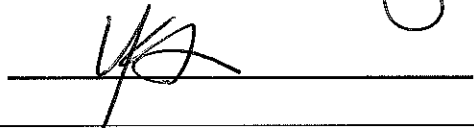
#

Item Title: Resolution Authorizing Execution of a Contract with Visu-Sewer of Illinois for Project 11-13, Sewer Cleaning and Televising

Resolution or Ordinance No. _____
Date of Board Action: November 28, 2011

Staff Review:

Department Director Name: Jim Budrick, Village Engineer 

Village Manager's Office: 

Item History (Previous Board Review, Related Action, History):
Bids were opened on Thursday, November 10, 2011 for Project 11-13, Sewer Cleaning and Televising. A total of three contractors picked up proposal documents and all three submitted bids. The low bid was submitted by Visu-Sewer of Illinois in the amount of \$62,410.35.

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):
This project is key to planning future Capital Improvements. Approximately 6 miles of local sewers are scheduled to be cleaned and televised under this contract. Most of the work is targeted in two categories, one where street improvements are planned in the next 2 years, and two where localized flooding took place in the last two years.

Intergovernmental Cooperation Opportunities (describe if there are opportunities for cost savings or better service with this item by joint participation from other local Oak Park governmental agencies, or regional municipalities):
This project is locally focused and does not fit into a category for joint participation with other agencies.

Item Budget Commentary: (Account #; Balance; Cost of contract)
A total of \$75,000 has been budgeted in account 5050-43750-781-530667 for this project. Approximately \$12,000 has been expended thus far this year to televise sewer lines in areas affected by the flooding as well as lines where maintenance issues had arisen. A balance of \$63,000 remains which will be used to cover the costs of this contract.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):
There are no alternative options or alternatives relative to this project.

Proposed Recommended Action: Approve the Resolution

RESOLUTION

AUTHORIZING EXECUTION OF A CONTRACT WITH VISU-SEWER OF ILLINOIS FOR PROJECT 11-13, SEWER CLEANING AND TELEVSING

BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized and directed to execute a contract with Visu-Sewer of Illinois for Project 11-13, Sewer Cleaning and Televising in an amount not to exceed \$62,410.35. The contract shall conform substantially to the contract attached hereto as Exhibit A and made part hereof.

THIS RESOLUTION shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 28th day of November, 2011 pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ADOPTED AND APPROVED by me this 28th day of November, 2011.

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk



Contract Bond

We, Visu-Sewer of Illinois, Inc, 9014 S. Thomas Avenue, Bridgeview, Illinois 60455, as PRINCIPAL, and

_____ as SURETY,
are held and firmly bound unto the Village of Oak Park (hereafter referred to as "VOP") in the penal sum of _____
Sixty Two Thousand, Four Hundred Ten and 35/100 (\$62,410.35) lawful money of the
United States, well and truly to be paid unto said VOP, for the payment of which we bind ourselves, our heirs,
executors, administrators, successors, jointly to pay to the VOP this sum under the conditions of this instrument.

WHEREAS THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the said Principal has entered into a written contract with the VOP acting through its awarding authority for the construction of work on the above section, which contract is hereby referred to and made a part hereof, as if written herein at length, and whereby the said Principal has promised and agreed to perform said work in accordance with the terms of said contract, and has promised to pay all sums of money due for any labor, materials, apparatus, fixtures or machinery furnished to such Principal for the purpose of performing such work and has further agreed to pay all direct and indirect damages to any person, firm, company, or corporation suffered or sustained on account of the performance of such work during the time thereof and until such work is completed and accepted; and has further agreed that this bond will insure to the benefit of any person, firm, company, or corporation, to whom any money may be due from the Principal, subcontractor or otherwise, for any such labor, materials, apparatus, fixtures or machinery so furnished and that suit may be maintained on such bond by any such person, firm, company, or corporation, for the recovery of any such money.

NOW THEREFORE, if the said Principal shall well and truly perform said work in accordance with the terms of said contract, and shall pay all sums of money due or to become due for any labor, materials, apparatus, fixtures or machinery furnished to him for the purpose of constructing such work, and shall commence and complete the work within the time prescribed in said contract, and shall pay and discharge all damages, direct and indirect, that may be suffered or sustained on account of such work during the time of performance thereof and until the said work shall have been accepted, and shall hold the VOP and its awarding authority harmless on account of any such damages and shall in all respects fully and faithfully comply with all the provisions, conditions, and requirements of said contract, then this obligation to be void; otherwise to remain in full force and effect. IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective officers this _____ day of _____, 2011

PRINCIPAL

(Company Name)

(Company Name)

By: _____
(Signature & Title)

By: _____
(Signature & Title)

(If PRINCIPAL is a joint venture of two or more contractors, the company names, seals and authorized signatures of each contractor must be affixed.)

SURETY

By: _____

(Name of Surety)

(Signature of Attorney-in-Fact)

STATE OF ILLINOIS,
COUNTY OF _____

I, _____, a Notary Public in and for said county, do hereby certify that

(Insert names of individuals signing on behalf of PRINCIPAL & SURETY)

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL and SURETY, appeared before me this day in person and acknowledged respectively, that they signed, sealed, and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notary seal this _____ day of _____, **2011**

My commission expires _____
Notary Public

Approved this **28th** day of **November**, **2011**

Attest:

Teresa Powell, Village Clerk

Village of Oak Park
(Awarding Authority)

Thomas W. Barwin
Village Manager

(Seal)

REVIEWED AND APPROVED
AS TO FORM

NOV 23 2011

LAW DEPARTMENT



Contract

1. THIS AGREEMENT is made and concluded on the 28th day of November, 2011 by and between the Village Of Oak Park acting by and through its President & Board of Trustees, and **Visu-Sewer of Illinois, Inc. 9014 S. Thomas Avenue, Bridgeview, Illinois 60455**, its executors, administrators, successors or assigns (hereinafter "Contractor".)
2. The following documents set forth the terms of this contract and are incorporated herein:
 - a. The Village of Oak Park's Notice to Contractors, Special Provisions and Plans for **Project No. 11-13, Sewer Cleaning and Televising.**
 - b. Visu-Sewer of Illinois' Proposal
 - c. The Contract Bond
3. Contractor agrees, at its own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the terms of this contract and the requirements of the Village Engineer under it.
4. Contractor affirms that the individual signing this contract is authorized to execute agreements on behalf the Contracting entity.
5. IN WITNESS WHEREOF, the parties have executed this contract on the date above mentioned.


Attest:

Village Of Oak Park

Teresa Powell Village Clerk
(Seal)

By _____
Thomas W. Barwin,
Village Manager

REVIEWED AND APPROVED
AS TO FORM

NOV 23 2011

LAW DEPARTMENT

Visu-Sewer of Illinois. Inc..

By: _____
Signature

Printed Name

Its: _____
Title



BIDDERS NEED NOT RETURN THE ENTIRE PROPOSAL

Project Name: Sewer Cleaning and Televising

Project Number: 11-13

Location: VILLAGE OF OAK PARK ILLINOIS
Various Locations throughout the Village
(See enclosed list of locations)

Submitted to the President and Board of Trustees

By: Visu-Sewer of Illinois
Contractor's Name

9014 S. Thomas Ave
Address

Bridgeview, IL 60455
City



Notice to Bidders

RETURN WITH BID

Time and Place of Opening of Bids

Sealed proposals for the improvement described below will be received at the Office of the Village Engineer, Monday through Friday, 8:30 A.M. to 5:00 P.M. at 201 South Boulevard Oak Park, Illinois 60302 until **11:00 A.M. Thursday, November 10, 2011** at which time the proposals shall be publicly opened and read.

Description of Work

Name: Sewer Cleaning and Televising

Location: Various locations throughout the Village of Oak Park (see location map and spreadsheet for exact streets)

Proposed Improvement: Cleaning and closed circuit television inspection of combined sewers at various locations throughout the Village of Oak Park including sewers on Harlem Avenue.

Bidders Instructions

1. Plans and proposal forms will be available in the Office of the Village Engineer, 201 South Boulevard, Oak Park, Illinois 60302. There is no fee for plans and specifications. No plans will be issued to prospective bidders after **5 P.M.** on the working day preceding the opening of bids.
2. At the bid opening, all proposals must be accompanied by a proposal guaranty, executed by a corporate surety company (bid bond) or a bank cashier's check in the amount of 10% of the amount bid.
3. The awarding authority reserves the right to waive technicalities and to reject any or all proposals as provided in Article 102.01 of the "Standard Specifications for Road and Bridge Construction," prepared by the Department of Transportation.
4. Bidders need not return the entire proposal when bids are submitted. Portions of the proposal that must be returned include the following:

- a. Proposal Cover ✓
- b. Notice to Bidders ✓
- c. Contract Proposal (I) ✓
- d. Contract Schedule of Prices Form (II) ✓
- e. Proposal Bid Bond (III) ✓
- f. Contractor's Certification (IV) ✓
- g. Tax Compliance Affidavit (V) ✓
- h. Fair Employment Practices Affidavit of Compliance (VI) ✓
- i. Village of Oak Park EEO Report (VII) ✓
- j. Participation Statement ✓
- SCHEDULE C: Village of Oak Park Letter of Intent From MBE/WBE to Perform as a Subcontractor, Supplier, and/or Consultant ✓
- SCHEDULE D: Village of Oak Park M.WBE Participation
- k. Affidavit of Availability ✓

Note: All proposal documents, including Proposal Guaranty Checks or Proposal Bid Bonds, should be stapled together to prevent loss when bids are processed.

By Order of

RETURN WITH BID

Jim Budrick, Village Engineer



Proposal

RETURN WITH BID

1. Proposal of Visu-Sewer of Illinois, LLC

for the improvement of sidewalks and curbs as noted herein and perform all appurtenant work thereto.

1. The plans for the proposed work are those prepared by the Engineering Division of the Village of Oak Park, 201 South Boulevard, Oak Park, Illinois on November 3, 2011
2. The specifications referred to herein are those prepared by the Department of Transportation and designated as "Standard Specifications for Road and Bridge Construction" and the "Supplemental Specifications" there to, adopted and in effect on the date of invitation of bids.
3. The undersigned agrees to accept, as part of the contract, the applicable Special Provisions indicated on the "Check Sheet for Supplemental Specifications and Recurring Special Provisions" contained in this proposal.
4. The undersigned agrees to complete the work before December 31, 2011 unless additional time is granted in accordance with the specifications.
5. Accompanying this proposal is either a bid bond on the Village Bond form or a proposal guaranty check, complying with the specifications, made payable to the Village of Oak Park. The amount of the ~~check~~ is 10% of proposed price (\$ 6,2410.09) bid bond
6. If this proposal is accepted and the undersigned fails to execute a contract and contract bond as required, it is hereby agreed that the Bid Bond or check shall be forfeited to the awarding authority.
7. Each pay item should have a unit price and a total price.
8. The unit price shall govern if no total price is shown or if there is a discrepancy between the results of unit price multiplied by the quantity.
9. If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.
10. A bid will be declared unacceptable if neither a unit price nor a total price is shown.
11. The undersigned firm certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has the firm made an admission of guilt of such conduct which is a matter of record, nor has an official, agent, or employee of the firm committed bribery or attempted bribery on behalf of the firm and pursuant to the direction or authorization of a responsible official of the firm. The undersigned firm further certifies that it is not barred from bidding on this contract as a result of a conviction for the violation of State laws prohibiting bid-rigging or bid-rotating.

12. This Contract is subject to "An act regulating wages of laborers, mechanics, and other workers employed in any public works by the State, County, City or any other public body or any political subdivision or by anyone under contract for public works". (see Special Provision for details).

13. Proposal Guaranty Check:

Attach Cashier's Check or Certified Check Here

In the event that one proposal guaranty check is intended to cover two or more proposals, the amount must be equal to the sum of the proposal guaranties that would be required for each individual proposal.

If the proposal guaranty check is placed in another proposal; state below where it can be found.

The proposal guaranty check will be found in the proposal for: Village of Oak Park

Project 11-13 Sewer Cleaning and Televising

The undersigned submits herewith this schedule of prices covering the work to be performed under this contract:



Village of Oak Park, IL
Proposal Bid Bond

RETURN WITH BID

We Visu-Sewer of Illinois, LLC
as PRINCIPAL, and Merchants Bonding Company
as SURETY,

are held and firmly bound unto the Village of Oak Park, IL (hereafter referred to as "VOP") in the penal sum of 10% of the total bid price, or for the amount specified in Article 102.09 of the "Standard Specifications for Road and Bridge Construction" in effect on the date of invitation for bids. We bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly to pay to the VOP this sum under the conditions of this instrument.

WHEREAS THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the said PRINCIPAL is submitting a written proposal to the VOP acting through its awarding authority for the construction of the work designated as the above section.

THEREFORE if the proposal is accepted and a contract awarded to the PRINCIPAL by the VOP for the above designated section and the PRINCIPAL shall within fifteen (15) days after award enter into a formal contract, furnish surety guaranteeing the faithful performance of the work, and furnish evidence of the required insurance coverage, all as provided in the "Standard Specifications for Road and Bridge Construction" and applicable Supplemental Specifications, then this obligation shall become void; otherwise it shall remain in full force and effect.

IN THE EVENT the VOP determines the PRINCIPAL has failed to enter into a formal contract in compliance with any requirements set forth in the preceding paragraph, then the VOP acting through its awarding authority shall immediately be entitled to recover the full penal sum set out above, together with all court costs, all attorney fees, and any other expense of recovery.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective officers this 4th day of November A.D. 2011

Visu-Sewer of Illinois, LLC
(Company Name)
By: [Signature]
By: DANIEL A. PRZEWOZNIK, VICE-PRESIDENT
(Signature & Title)

(If PRINCIPAL is a joint venture of two or more contractors, the company names, and authorized signatures of each contractor must be affixed.)

Merchants Bonding Company
(Name of Surety)
Debbra A. Hinkes
(Signature of Attorney-in-Fact) Debbra A. Hinkes, Attorney-in-Fact

STATE OF ~~XXXXXX~~ Wisconsin
COUNTY OF Waukesha Shelley Paquin
I, Shelley Paquin and Debbra A. Hinkes
a Notary Public in and for said county, do hereby certify that [Insert name of individuals signing on behalf of PRINCIPAL & SURETY.]

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL and SURETY, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notary seal this 4th day of November A.D. 2011

- NOTICE
1. Improper execution of this form (i.e. missing signatures or seals or incomplete certification) will result in bid being declared irregular.
 2. If bid bond is used in lieu of proposal guaranty check, it must be on this form and must be submitted with bid.

My commission expires 9-14-14
Shelley Paquin
Notary Public

MERCHANTS BONDING COMPANY POWER OF ATTORNEY

Know All Persons By These Presents, that the MERCHANTS BONDING COMPANY (MUTUAL), a corporation duly organized under the laws of the State of Iowa, and having its principal office in the City of Des Moines, County of Polk, State of Iowa, hath made, constituted and appointed, and does by these presents make, constitute and appoint

Charles L Schiltz
Robert M Tortelli

Debbra A Hinkes

Pamela M Hineman

of New Berlin and State of WISCONSIN its true and lawful Attorney-in-Fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

TWENTY FIVE MILLION (\$25,000,000.00) DOLLARS

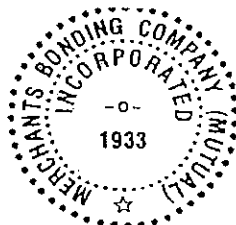
and to bind the MERCHANTS BONDING COMPANY (MUTUAL) thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the MERCHANTS BONDING COMPANY (MUTUAL), and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following Amended Substituted and Restated By-Laws adopted by the Board of Directors of the MERCHANTS BONDING COMPANY (MUTUAL) on November 16, 2002.

ARTICLE II, SECTION 8 - The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

ARTICLE II, SECTION 9 - The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed.

In Witness Whereof, MERCHANTS BONDING COMPANY (MUTUAL) has caused these presents to be signed by its President and its corporate seal to be hereto affixed, this 22nd day of December, 2010.



MERCHANTS BONDING COMPANY (MUTUAL)

By

Larry Taylor

President

STATE OF IOWA
COUNTY OF POLK ss.

On this 22nd day of December, 2010, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



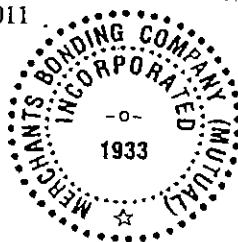
Cindy Smyth

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL), do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said MERCHANTS BONDING COMPANY (MUTUAL), which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Company on this 4th day of November, 2011.



William Warner Jr.

Secretary

II

SCHEDULE OF PRICES

SCHEDULE OF PRICES

11-13 SEWER CLEANING AND TELEVISIONING

See Plans and Specifications for Information Regarding Pay Items

ITEM NO.	PAY ITEM	QUANTITY	UNIT	UNIT PRICE - \$-	TOTAL PRICE - \$-
1	TELEVISIONING INSPECTION OF SEWERS 9"-24"	30516	FEET	\$ 1.51	\$ 46,079. ¹⁶
2	TELEVISIONING INSPECTION OF SEWERS 27"-48"	2769	FEET	\$ 1.51	\$ 4,181. ¹⁹
3	HEAVY CLEANING	30	HOUR	\$ 230. ⁰⁰	\$ 6,900. ⁰⁰
4	ROOT CUTTING	5	HOUR	\$ 330. ⁰⁰	\$ 1,650. ⁰⁰
5	DEBRIS DISPOSAL	40	TON	\$ 65. ⁰⁰	\$ 2,600. ⁰⁰
6	TRAFFIC CONTROL AND PROTECTION ON HARLEM AVENUE	1	L SUM	\$ 1,000	\$ 1,000. ⁰⁰

TOTAL = \$ 62,410.³⁵

14. The undersigned further agrees that if awarded the contract for the sections contained in the following combinations, will perform the work in accordance with The requirements of each individual proposal for the multiple bid specified in the schedule below.

Schedule of Multiple Bids

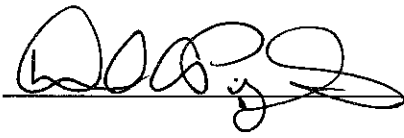
Combination Letter	Sections Included in Combination	Total

RETURN THIS PAGE WITH BID

II

SCHEDULE OF PRICES PROPOSAL FORM

The undersigned proposes to furnish all materials, labor and equipment necessary to perform the work as specified on the plan sheets referenced herein:

Proposal Signature:  Daniel A. Przewoznik
Vice President

State of Illinois)

County of Cook)

Daniel A. Przewoznik
(Type Name of Signee)

being first duly sworn on oath deposes and says that the Vendor on the above Proposal is organized as indicated below and that all statements herein made on behalf of such Vendor and that their deponent is authorized to make them, and also deposes and says that deponent has examined and carefully prepared their proposal from the Contract Specifications and has checked the same in detail before submitting their Proposal; that the statements contained herein are true and correct.

Signature of Vendor authorizes the Village of Oak Park to verify references of business and credit at its option.

Signature of Vendor shall also be acknowledged before a Notary Public or other person authorized by law to execute such acknowledgments.

RETURN THIS PAGE WITH BID



CONTRACTOR

CERTIFICATIONS

- A. The undersigned hereby certifies that said vendor is not barred from bidding on the aforementioned contract as a result of a violation of either Section 33E-3 or 33E-4 of Article 33E of Chapter 38 of the Illinois Revised Statutes or Section 2-6-12 of the Oak Park - Village Code relating to "Bidding Requirements".

- B. The individual or entity making the foregoing proposal of bid certifies that he/she is not barred from contracting with the Village of Oak Park because of any delinquency in the payment of any tax administrated by the Department of Revenue unless the individual or entity is contesting, in accordance with procedures established by the appropriate revenue act, liability for the tax or the amount of the tax. The individual or entity making the proposal or bid understands that making a false statement regarding delinquency in taxes is a Class A misdemeanor and, in addition, voids the contract and allows the Municipality to recover all amounts paid to the individual or entity under the Contract in Civil action.

- C. The undersigned firm certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois and the Village of Oak Park, nor has the firm made an admission of guilt of such conduct which is a matter of record, nor has an official, agent, or employee of the firm committed bribery or attempted bribery on behalf of the firm and pursuant to the direction or authorization of a responsible official of the firm. The undersigned firm further certifies that it is not barred from bidding on this contract as a result of a conviction for the violation of State laws prohibiting bid-rigging or bid-rotating.

- D. The undersigned firm certifies that it is in compliance with House Bill 3337 which creates a Drug Free Workplace Act for Illinois with an effective date of January 1, 1992.

Organization Name

(Seal - If Corporation)

By: [Signature]

Authorized Signature
David A. Przewoznik

9014 S. Thomas Ave, Bridgeview, IL
Address

(608) 237-0340
Telephone

Subscribed and sworn to before me their 10th day of November, 2010. 2011

Nicole L Conrad
Notary Public



In the State of Illinois

My Commission Expires: 11/2/2014

(Complete Applicable Paragraph Below)

(a) Corporation

The Vendor is a corporation, which operates under the legal name of

Visu-Sewer of Illinois, LLC and is organized and existing under the laws of the State of Wisconsin

The full names of its Officers are:

President Keith Alexander Vice President Daniela Przewoznik

Secretary James Serketich

Treasurer Ernest Alexander

The corporation does have a corporate seal. (In the event that their proposal is executed by a person other than the President, attach hereto a certified copy of that section of Corporate By-Laws or other authorization by the Corporation that permits the person to execute the offer for the corporation.)

RETURN THIS PAGE WITH BID

(b) Partnership
Name, Signature and Addresses of all Partners

The partnership does business under the legal name of _____, which name is registered with the office of _____ in the county of _____.

(c) Sole Proprietor
The Vendor is a Sole Proprietor whose full name is

_____. If the Vendor is operating under a trade name, said trade name is _____, which name is registered with the office of _____ in the county of _____.

Signed: _____
Sole Proprietor

Owner and / or Company Officer Information:

The Village may require additional information in the way of social security numbers and drivers license numbers of company officials for the purposes of performing background checks. The officers names and titles should be listed below:

Name	Title
_____	_____
_____	_____
_____	_____
_____	_____

RETURN THIS PAGE WITH BID

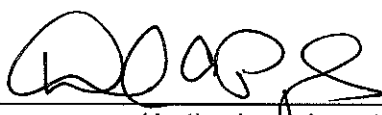
IV

CONTRACTOR'S CERTIFICATION

Visu-Sewer of Illinois, as part of its proposal on a contract for
(name of contractor)

Sewer Cleaning and Televising to the Village of Oak Park, hereby
(general description of item(s) proposal on)

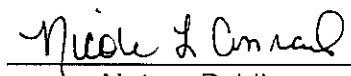
certifies that said contractor is not barred from proposing on the aforementioned contract as a result of a violation to either Section 33E-3 or 33E-4 of Article 33E of Chapter 38 of the Illinois Revised Statutes or Section 2-6-12 of the Oak Park Village Code relating to "Proposing Requirements".

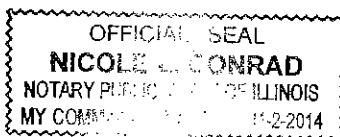
By: 
(Authorized Agent of Contractor)
Daniel A. Dzewoznik
Vice President

Subscribed and sworn to

before me their 10th day of

November, 2011.


Notary Public



RETURN THIS PAGE WITH BID

IV

CONTRACTOR'S CERTIFICATION (cont.)

Visa-Sewer of Illinois, as part of its proposal on a contract for
(name of contractor)

Sewer Cleaning and Telesplicing to the Village of Oak Park, hereby
(general description of item(s) proposal on)

certifies that said contractor is in compliance with House Bill 3337 which creates a Drug Free Workplace Act for Illinois with an effective date of January 1, 1992.

By: [Signature]
(Authorized Agent of Contractor)
Daniel A. Pzewoznik
Vice President

Subscribed and sworn to
before me their 10th day of
November, 2011.

Nicole L. Conrad
Notary Public



RETURN THIS PAGE WITH BID

TAX COMPLIANCE AFFIDAVIT

Daniel A. Pzewoznik, being first duly sworn, deposes and says: that he/she is Vice President of Visu-Sewer of Illinois, LLC (partner, officer, owner, etc.) (contractor)

The individual or entity making the foregoing proposal or proposal certifies that he/she is not barred from contracting with the Village of Oak Park because of any delinquency in the payment of any tax administered by the Department of Revenue unless the individual or entity is contesting, in accordance with the procedures established by the appropriate revenue act, liability for the tax or the amount of the tax. The individual or entity making the proposal or proposal understands that making a false statement regarding delinquency in taxes is a Class A Misdemeanor and, in addition, voids the contract and allows the municipality to recover all amounts paid to the individual or entity under the contract in civil action.

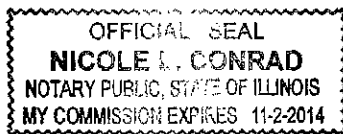
[Handwritten Signature]

(Name of Contractor if the Contractor is an Individual)
(Name of Partner if the Contractor is a Partnership)
(Name of Officer if the Contractor is a Corporation)

The above statement must be subscribed and sworn to before a notary public.

Subscribed and sworn to their 10th day of November, 2011.

Nicole L. Conrad
Notary Public



RETURN THIS PAGE WITH BID

VI

**FAIR EMPLOYMENT PRACTICES
AFFIDAVIT OF COMPLIANCE**

NOTE: Their affidavit must be executed and submitted with the signed proposal form. No proposals can be accepted by the Board of Trustees of the Village of Oak Park unless said affidavit is submitted concurrently with the proposal.

Daniel A. Pzewoznik, being first duly sworn, deposes and says that
(name of person making the Affidavit)

Vice President of Visu-Sewer of Illinois and that he/she
(Title or Office) (Name of Company)

has the authority to make the following affidavit; that he/she has the knowledge of the Village of Oak Park Ordinance relating to Fair Employment Practices and knows and

understands the contents thereof; that he/she certifies hereby that Visu-Sewer
(Name of

of Illinois is an "Equal Opportunity Employer" as defined by Section 2000
company)

(E) of Chapter 21, Title 42 of the United States Code Annotated and Federal Executive Orders #11246 and #11375 which are incorporated herein by reference.

[Signature]

Subscribed and sworn to before

me their 10th day of

November, 2011

Nicole L. Conrad
Notary Public



RETURN THIS PAGE WITH BID



Minority Business and Women Business Enterprises Requirements:

The Village of Oak Park in an effort to reaffirm its policy of non-discrimination, encourages and applauds the efforts of contractors and subcontractors in taking affirmative action and providing Equal Employment Opportunity without regard to race, religion, creed, color, sex, national origin, age, handicap unrelated to ability to perform the job or protected veteran's status.

Reporting Requirements:

The following forms must be completed in their entirety, notarized and included as part of the bid proposal document. Failure to respond truthfully to any question on this list or failure to cooperate fully with further inquiry by the Village of Oak Park will result in disqualification of your bid.

- VI. Fair Employment Practices Affidavit of Compliance
- VII. Village of Oak Park E.E.O. Report (2 Pages)

Disadvantaged Business Participation Reporting

In an effort to reaffirm its commitment to DBE participation the Village of Oak Park asks each general contractor bidding on Public Works Projects to report on their utilization of Minority and Women Business Enterprises. Please list the MBE/WBE companies working as sub-contractors and/or suppliers on the DBE participation statement included herewith. Feel free to make additional copies of this form if necessary and include with your bid.

Participation Statement

(1) Instructions

Refer to: Minority and Women Business Enterprise Participation Program Vendor Handbook.

Submit: Schedule C and Schedule D with Bid Documents, see pages 23-26 of the Vendor Handbook).

VII

VILLAGE OF OAK PARK
E.E.O. REPORT

Please fill out the form completely. Failure to respond truthfully to any questions on their form, or failure to cooperate fully with further inquiry by the Village of Oak Park will result in disqualification of proposal. An incomplete form will disqualify your proposal. For assistance in completing their form, contact Jim Budrick (708) 358-5722.

1. Vendor Name: Visu-Sewer of Illinois
2. Check here if your firm is:
- MBE
- WBE
- DBE
- Non-MBE/WBE

**Note if your firm is an MWBE please fill out the attached affidavit (copies of all certification letters must be included)*

3. What is the size of the firm's current stable work force?
- 24 Number of full-time employees
- Number of part-time employees

4. Similar information will be requested of all subcontractors working on their contract. Forms will be furnished to the low responsible bidder or contractor with the notice of contract award, and these forms must be completed and submitted to the Village before the execution of the contract by the Village.

RETURN THIS PAGE WITH BID

VII (Continued)
 VILLAGE OF OAK PARK
 EEO REPORT

Vendor Name Vista Sewer of Illinois
 Total Employees

Job Categories	Total Employees	Total Males	Total Females	Males				Females				Total Minorities
				Black	Hispanic	American Indian & Alaskan Native	Asian & Pacific Islander	Black	Hispanic	American Indian & Alaskan Native	Asian & Pacific Islander	
Officials & Managers	1	1										
Professionals												
Technicians												
Sales Workers	1	1										
Office & Clerical	2		2									
Semi-Skilled												
Laborers	20	20		2	2							4
Service Workers												
TOTAL												
Management Trainees												
Apprentices												

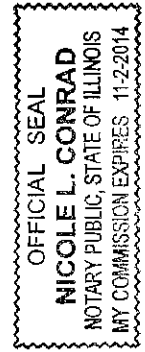
This completed and notarized report must accompany your bid. It should be attached to your Affidavit of Compliance. Failure to include it with your bid will be disqualify you from consideration.

An EEO-1 Report may be submitted in lieu of this report.

Daniel A. Prewer, being first duly sworn, deposes and says that he/she is the Vice President (Title or Officer) of Vista Sewer of Illinois and that the above EEO Report information is true and accurate and is submitted with the intent that it

be relied upon. Subscribed and sworn to before me this 10th day of November, 2011.

[Signature]
 (Signature)
11/10/11
 (Date)



RETURN THIS PAGE WITH BID

SCHEDULE C:

VILLAGE OF OAK PARK LETTER OF INTENT FROM MBE /WBE TO PERFORM AS A SUBCONTRACTOR, SUPPLIER AND/OR CONSULTANT

M/WBE Firm: _____ Contract #: _____
Address: _____ City/State/Zip: _____
Contact Person: _____ Phone: _____ Fax: _____
Certification Expiration Date: _____ Race/Gender: _____

Will the M/WBE firm be subcontracting any of the performance of this contract to another firm?
[] No [] Yes - Please attach explanation.
Proposed Subcontractor: _____

The undersigned M/WBE is prepared to provide the following Commodities and or Services for the above named Project/Contract: _____

Indicate the Total Dollar Amount, the Percentage, and the Terms of Payment for the above-described Commodities/Services: _____

(If more space is needed to fully describe the M/WBE Firm's proposed scope of work and/or payment schedule, attach additional sheets.)

Prime Bidder/Proposer declares and affirms that the facts and representations set forth herein are true and correct and no material facts have been omitted.

Signature (M/WBE) _____ Signature (Prime Bidder/Proposer) _____
Print Name _____ Print Name _____
Firm Name _____ Firm Name _____
Date _____ Date _____

Subscribed and sworn before me this 10th day of November, 2011,

Nicole L Conrad (SEAL)
Signature of Notary Public

My Commission expires on _____



RETURN THIS PAGE WITH BID

**SCHEDULE D:
VILLAGE OF OAK PARK
M/WBE PARTICIPATION AFFIDAVIT**

Contract #: _____ Contract Value: \$ _____


Contact Person: _____ Phone: _____ Fax: _____

Description of Commodities/Services to be provided by the Bidder/Proposer on this Contract:

Any questions regarding compliance with these requirements should be directed to:

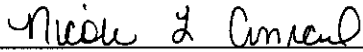
Finance Department
The Village of Oak Park, 123 Madison Street, Oak Park, Illinois 60302
PHONE: 708.358.5460, FAX: 708.358.5105.

I, _____ (print name) hereby agree to comply with and be bound by the provisions to submit, as part of this bid/proposal, a detailed M/WBE Participation Plan with and at the time and place of the submissions of this bid/proposal; that the M/WBE Participation Plan is an element of bidder/proposer responsiveness and responsibility; and are incorporated as part of the contract; that heirs, executors, and administrators or assigns and any other persons or entities claiming by or through the bidder/proposer including but not limited to insurance companies, bonding companies, or sureties are bound by this agreement; and do declare and affirm that, to the best of my knowledge, information and belief, the facts and representations set forth in this M/WBE Participation Affidavit are true and correct, and that no material facts have been omitted.

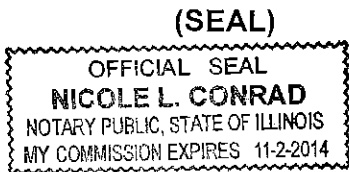

Signed _____
Vista Sewer of Illinois
Firm Name (Print) _____
(708) 237-0340
Phone _____ Fax _____

Daniel A. Przewoznik
Name and Title (Print) Vice President
9014 South Thomas Ave
Firm Address (Print) _____
Bridgeview IL 60455
City/State/Zip _____

SUBSCRIBED AND SWORN before me this 10th day of November, 2011,



Signature of Notary Public



RETURN THIS PAGE WITH BID

**SCHEDULE D:
M/WBE PARTICIPATION AFFIDAVIT**

M/WBE firms may participate in the performance of this contract, either DIRECTLY or INDIRECTLY, as:
Prime Bidders/Proposers; Joint Venture Partners; Subcontractors; and/or Suppliers.

Name of M/WBE Firm:		Race / Gender:
Address:		
City/State/Zip:		
Telephone No.:		Fax:
Contact Person:		
Dollar Amount: \$	%	Schedule C attached? [] Yes [] No
Description of Commodity/Service:		

Name of M/WBE Firm:		Race / Gender:
Address:		
City/State/Zip:		
Telephone No.:		Fax:
Contact Person:		
Dollar Amount: \$	%	Schedule C attached? [] Yes [] No
Description of Commodity/Service:		

Name of M/WBE Firm:		Race / Gender:
Address:		
City/State/Zip:		
Telephone No.:		Fax:
Contact Person:		
Dollar Amount: \$	%	Schedule C attached? [] Yes [] No
Description of Commodity/Service:		

Total MBE \$	_____	_____	%
Total WBE \$	_____	_____	%
Grand Total MBE \$	_____	_____	%
Grand Total WBE \$	_____	_____	%

RETURN THIS PAGE WITH BID

The undersigned affirms that the foregoing statements are true and correct and include all material information necessary to identify and explain the terms and operations of our joint venture and the intended participation of each partner in the undertaking. Further, the undersigned covenants and agrees to provide to the Village of Oak Park current, complete and accurate information regarding actual joint venture work and the payment therefore, and any proposed changes in any provision of the joint venture agreement, and to permit the audit and examination of the books, records and files of the joint venture, or those of each partner relevant to the joint venture by authorized representatives of the Village of Oak Park.

Any material misrepresentation will be grounds for terminating any contract which may be awarded and for initiating action under federal and state laws concerning false statements.

Note: If after filing this Schedule B and before the completion of the joint venture's work on the project, there is any change in the information submitted, the joint venture must submit a revised version of this document to the Village of Oak Park either directly, or through the prime contractor if the joint venture is a subcontractor.

_____ Name of MBE/WBE Partner Firm	<u>Vish-Sewer of Illinois</u> _____ Name of non-MBE/WBE Partner Firm
_____ Signature of Affiant	<u>[Signature]</u> _____ Signature of Affiant
_____ Name and Title of Affiant	<u>Daniel A. Przewoznik</u> _____ Name and Title of Affiant <u>Vice President</u>
_____ Date	<u>Nov 10, 2011</u> _____ Date

On this 10th day of November, 2011, the above signed officers Daniel A Przewoznik,
(names of affiants)

personally appeared and, known to me are the persons described in the foregoing Affidavit, acknowledged that they executed the same in the capacity therein stated and for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and seal.
Nicole L Conrad

Signature of Notary Public

Commission Expires: 11/2/2014



RETURN THIS PAGE WITH BID

I

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

Item Title: Resolution Authorizing a Professional Services Agreement with Wiss, Janney, Elstner Associates, Inc., for Ongoing Consulting Engineering Services at the Holley Court Parking Garage in an amount not to exceed \$12,300 and Waiving the Bid Process.

Resolution or Ordinance No. _____

Date of Board Action: **November 28, 2011**

Staff Review:

Interim Parking Manager:



Cara Pavlicek

Village Manager's Office:

Item History (Previous Board Review, Related Action, History):

On October 3, 2011, the Village Board approved a request to approved continued professional services from Wiss Janney Elsner and Associates (WJE) to complete the structural review of the building permit submittal for repairs to strengthen the west expansion of the Holley Court Parking Garage.

At that time, staff advised of its intent to recommend a subsequent contract that is being present herein, for WJE to act as the Village's owners representative and conduct in the field inspections to ensure the repairs are according to the plans approved by the Village. We believe there is economic value in contracting with WJE for this work due to their intimate knowledge of the situation to date, and therefore, a waiver of the bidding process is requested.

The proposed inspection and observation services are expected to be performed in an amount of \$9,300. Staff is seeking authorization not to exceed \$12,300 to allow for a contingency in the event there are unforeseen circumstance that occur during installation.

This contract for owners representative services is being brought forward to the Board for approval as this same vendor has had a prior Professional Services Agreement with the Village in an amount greater than \$25,000 thus requiring Village Board approval for this new agreement.

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):

The Village continues to maintain parking restrictions along the western most wall of the parking structure and a portion of the roof that were implemented in September and October 2010. In the end of December 2010 additional parking restrictions were implemented on a small area of the fourth, fifth and sixth floor (near the south-center cross over). As a result, about 72 interior parking spaces of the approximately 1,200 spaces in the Holley Court Parking Garage are out of service temporarily due to a maintenance issue. In addition, 48 rooftop spaces are out of service at this time.

The repair work was designed by Hunt and Joiner, Inc., Consulting Engineers of Dallas, Texas

working for Whiteco Residential LLC, Merrillville, Indiana for repairs to the garage. The contractor performing the repairs is Delta Structural Technology, Inc., Conroe, Texas working for Hunt and Joiner, Inc. Repairs are expected to be completed during the 2011 construction season.

Intergovernmental Cooperation Opportunities (describe if there are opportunities for cost savings or better service with this item by joint participation from other local Oak Park governmental agencies, or regional municipalities):

There are not opportunities for intergovernmental cooperation in this instance.

Item Budget Commentary: (Account #; Balance; Cost of contract)

The FY 2011 budget provides funding for contractual services and related expenditures in the Parking Fund in account no. 5060-43770-530660. To date, the Village has expended \$319,490 in this account and \$44,780 in budget authority remains.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

This work is ongoing as previously discussed.

Proposed Recommended Action: Approve the Resolution.

RESOLUTION

**RESOLUTION AUTHORIZING A
PROFESSIONAL SERVICES AGREEMENT WITH
WISS, JANNEY, ELSTNER ASSOCIATES, INC.,
FOR ONGOING CONSULTING ENGINEERING SERVICES
AT THE HOLLEY COURT PARKING GARAGE IN AN AMOUNT NOT TO
EXCEED \$12,300 AND WAIVING THE BID PROCESS.**

BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized and directed to sign a Professional Services Agreement with Wiss, Janney, Elstner Associates, Inc., Chicago, IL, for ongoing consulting engineering services related to the Holley Court public parking structure as provided for in the November 11, 2011 Professional Services Agreement in an amount not to exceed \$12,300. The contract shall substantially conform to the contract attached hereto as Exhibit A dated November, 2011 and made part hereof.

BE IT FURTHER RESOLVED that the Village's formal bid process is waived for these services.

THIS RESOLUTION shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 28th day of November, 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ADOPTED AND APPROVED by me, this 28th day of November 2011.

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

Via E-mail

November 11, 2011

Mr. John Wielebnicki
Director of Public Works
Village of Oak Park Public Works
201 South Boulevard
Oak Park, Illinois 60302-2702

Re: Holley Court Parking Garage Expansion
On-Site Representation during FRP Installation
WJE No. 2010.4171.5

Dear Mr. Wielebnicki:

At your request, Wiss, Janney, Elstner Inc. (WJE) has prepared this proposal to provide the Village of Oak Park (VOP) with the engineering services necessary to observe the installation of the Fiber Reinforced Polymer (FRP) strengthening of elements at the referenced project. These strengthening repairs were designed by Hunt and Joiner, Inc., Consulting Engineers (H&J), of Dallas, Texas, for two beams (at B-3.8) and one beam/column intersection (at C-4x), both locations supporting Level 6, the roof level.

Our scope of services will include: attending a preconstruction meeting; attending progress meetings as directed by the Village of Oak Park; observing the work being performed by the Contractor at the time of our inspections, three times a week for about one hour at the each site visit; preparation of written site visit reports summarizing our observations and comments; and attending the final inspection made by H&J at Substantial Completion.

In discussions with Andre Garner, H&J, he has reported that he expects the construction to take about two weeks under the best of conditions. Assuming that weather will affect the progress and special provisions will need to be made for the weather, we have assumed that our observation work will take place over three weeks and that we will make three visits per week. We further have assumed that most, if not all, of the meetings that we will attend will be made in concert with our site visit observations. At this time, we have estimated the cost based on nine total trips to the project with Carl Peterson, SE, and Nick Chow, SE, making five and four of the site visits, respectively. Nick's time will be charged at \$175 per hour and Carl's time will be charged at \$235 per hour.

We estimate that the cost of the site visits including our time charges and expenses will be about \$3,100 per week and will total approximately \$9,300 if the duration is as indicated above and if we make three site visits per week.

We propose to perform the work on a time and expense basis with an initial budget of \$9,300. This is not a not-to-exceed figure as we cannot foresee what may come up that could affect the number of visits that will need to be made. We have not included any contingency in that figure. It may be advisable for the VOP to include a contingency on this figure for its budgeting purposes. Without further information at this time, we believe a \$3,000 contingency would be reasonable.

Headquarters & Laboratories—Northbrook, Illinois

Atlanta | Austin | Boston | Chicago | Cleveland | Dallas | Denver | Detroit | Honolulu | Houston
Los Angeles | Minneapolis | New Haven | New York | Princeton | San Francisco | Seattle | Washington, DC

The \$9,300 budget includes time and expenses for the work described above, not including a contingency. If additional inspections or site visits are required, we would perform that work on an extra services basis (time and expense basis) at our current hourly rate schedule and that would be in addition to the \$9,300 budget above. If we do not exceed the \$9,300 budget, we will invoice only for the time and expenses we expend.

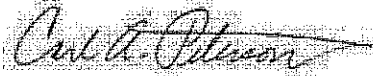
The versions of the drawings that we have are dated June 10, 2011, and are marked "Not for Construction". We ask that the VOP forward a final set of documents (drawings and any other correspondence between the VOP and H&J that has modified the drawings in any way) for our use prior to beginning our work on this phase of the project.

We propose to perform the above scope of services in accordance with the enclosed Terms and Conditions for Professional Services used earlier that have hand mark-ups from the Village, dated October 22, 2010.

If you have any questions about this letter, please feel free to call us.

Sincerely,

WISS, JANNEY, ELSTNER ASSOCIATES, INC.



Carl A. Peterson, SE
Project Manager and Principal



Nicholas Chow, SE
Project Engineer and Senior Associate

CAP/NC:mlv
Enclosure
cc: Cara Pavlicek (VOP)

Agreed and approved by the Village of Oak Park

Name: Thomas W. Berwin (please print)

Signature: _____

Title: Village Manager

As Agent or Principal for: Village of Oak Park

Date: _____

REVIEWED AND APPROVED
AS TO FORM

NOV 23 2011



LAW DEPARTMENT

Wiss, Janney, Elstner Associates, Inc. or WJE Engineers & Architects, P.C. (WJE) has been requested to perform certain professional and other services. The parties agree that these services shall be performed under the following Terms and Conditions, and that Client's acceptance of WJE's proposal or its direction for WJE to commence any services constitutes acceptance of these Terms.

1. Independent Contractor. WJE is an independent contractor, and all persons employed to furnish services hereunder are employees of WJE or its subcontractors/subconsultants and not of the Client. WJE and Client agree to be solely responsible for compliance with all federal, state, and local laws, rules and regulations, and ordinances that apply to their own respective employees.

2. Performance. The standard of care for all professional services performed or furnished by WJE will be the skill and care ordinarily used by members of WJE's professions performing similar services and practicing under similar circumstances at the same time and in the same locality. WJE makes no guarantees or warranties, express or implied, with regard to the performance of its services. WJE shall not have control over or be in charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures or for construction safety precautions and programs since these are the responsibilities of others. WJE agrees to perform its services in as timely a manner as is consistent with the professional standard of care and to comply with applicable laws, regulations, codes and standards that relate to WJE's services and that are in effect as of the date when the services are provided.

3. Client Duties. In order for WJE to perform the services requested, the Client shall, at no expense to WJE, (1) provide all necessary information regarding Client's requirements as necessary for the orderly progress of the work; (2) designate a person to act as Client's representative for the services who shall have the authority to transmit instructions, receive instructions and information, and interpret and define Client's policies and requests for WJE's services; and (3) provide access to and make all provisions for WJE to enter, without cost, limitation, or burden to WJE, the subject property as required to perform the work, including the use of scaffolds or similar mechanical equipment. WJE is entitled to rely upon the information and services provided by the Client.

4. Safety. Field work will be performed only under conditions deemed safe by WJE personnel. Charges may be made for safety or security measures required by hazardous job conditions that WJE may encounter. Client understands that WJE is only responsible for the safety of its own employees and those of its subconsultants and is not responsible for the safety of other persons or property.

5. Compensation and Expenses. Client agrees to pay for WJE's requested services in accordance with WJE's standard hourly rate schedule or negotiated fee. Charges generally will be billed in monthly intervals with applicable taxes included. Travel, subsistence, and out-of-pocket expenses incurred; communications; reproduction; and shipping charges will be billed at cost plus 5 percent and invoiced as an expense service fee. Use of vehicles will be billed at \$0.60 per mile. Expended materials for field and laboratory work, rental equipment, and any fees advanced on Client's behalf will be billed at cost plus 10 percent and invoiced as an expense service fee. WJE equipment used in field or laboratory work is billed at WJE's equipment usage rate

schedule in effect at the time the work is performed, subject to adjustment for minimum or extended usage. Portal-to-portal equipment usage rates are comparable to prevailing commercial rental rates (if available). Billing rates may be increased annually. Any subcontracted service will be billed at cost plus 10 percent providing the subcontract firm has in place adequate insurance coverage determined by WJE; otherwise, the cost will be marked up 20 percent and invoiced as an expense service fee. Client agrees to pay WJE's then-current time charges, attorneys' fees, and other expenses resulting from required attendance at depositions, administrative proceedings, or responding to subpoenas or court orders relating to the Project, but not for such expenses attributed to WJE's negligent performance of its services.

Payment for WJE's services is expected in full in US dollars ^{within 30 days of} upon receipt of the invoice. ~~Invoices considered past due are subject to any related attorneys' fees and collection expenses.~~ ^{Send} WJE reserves the right to suspend its services if the Client fails to make payment when due providing that WJE gives seven calendar days' notice to Client as practicable. In such an event, WJE shall have no liability to the Client for delay or damage caused the Client because of such suspension.

6. Termination. Both the Client and WJE have the right to terminate WJE's services for convenience upon seven calendar days' written notice to the other party. In the event the Client terminates without cause, WJE shall be entitled to compensation for its services and expenses up to the time of such notification, including fees for any transition services, and shall have no liability for delay or damage to Client because of such termination.

7. Reports, Drawings, and Work Product. WJE retains ownership of reports, drawings, specifications, test data, techniques, photographs, letters, notes, and other work product, including those in electronic form, it has created. These documents or parts thereof may not be reproduced or used by the Client for any purpose other than the purpose for which they were prepared, including, but not limited to, use on other projects or future modifications to this Project, without the prior written consent of WJE. Upon request, WJE will provide Client with a copy of documentation for information and reference purposes and bill for such reproduction in accordance with Paragraph 5 above. Any unauthorized use of WJE's work product shall be at the Client's sole risk and Client shall indemnify WJE for any liability or legal exposure to WJE. To the extent WJE terminates its services due to non-payment of fees by Client, Client shall not be entitled to use the documents described herein for any purpose whatsoever.

8. Environmental Hazards. Client acknowledges that WJE's services do not include the detection, investigation, evaluation, or abatement of environmental conditions that WJE may encounter, such as mold, lead, asbestos, PCBs, hazardous substances, or toxic materials that may be present in buildings and structures involved in this Project. The Client agrees to defend, indemnify, and hold WJE harmless from any claims relating to the actual or alleged existence or discharge of such materials through no fault

Send
will provide the village with all reports, test results, data and information obtained or created as result of H services provided however, that

of WJE's employees. WJE reserves the right to suspend its services, without liability for consequential or any other damages, if it has reason to believe that its employees may be exposed to hazardous materials and will notify the Client in such event.

9. Dispute Resolution. Prior to the initiation of any legal proceedings, WJE and the Client agree to submit all claims, disputes, or controversies arising out of or in relation to the services provided by WJE to mediation. Such mediation shall be conducted under the auspices of the American Arbitration Association or such other mediation service or mediator upon which the parties agree.

10. Governing Law. The laws of the state where WJE performs its services shall govern.

11. Successors and Assigns. These Terms shall be binding upon Client and WJE and their respective successors, assigns and legal representatives. Neither party may assign, subcontract, or otherwise delegate its responsibilities without the prior consent of the other party, which consent shall not be unreasonably withheld.

12. Insurance. WJE maintains commercial general liability, automobile, workers' compensation, and employers' liability and professional liability coverages under policies written by national insurance carriers rated by the A.M. Best Company, evidence of which will be provided upon request. Endorsements are not allowed. No waiver of subrogation is allowed on WJE's professional liability policy. Upon written request, WJE agrees to name the Client as an additional insured to the commercial general liability and automobile coverages. Any request to add other parties as additional insureds must be made in writing and is subject to certain limitations. All policies are subject to annual renewal, and WJE will not undertake to guarantee continued coverage beyond the individual policy term. Excess coverage is available for exposures over primary policy limits except for professional liability.

13. Indemnity. To the fullest extent permitted by law, Client and WJE each agree to indemnify and hold the other harmless, and their respective agents, officers and employees, from and against liability for all direct claims, losses, damages, and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages, or expenses are for bodily injury, sickness, disease, death, or property damage and to the extent they are caused by the negligent acts, errors, or omissions of the indemnifying party, and/or the indemnifying party's agents, officers, employees, independent contractors, or subcontractors of any tier. In the event such claims, losses, damages, or expenses are caused by the joint or concurrent negligence of

Client and WJE, or their respective agents, officers, employees, independent contractors, or subcontractors of any tier, they shall be borne by each party in proportion to that negligence.

14. Agreed Remedy. To the fullest extent permitted by law, the total liability, in the aggregate, of WJE and WJE's officers, directors, employees, agents, and consultants to Client and anyone claiming by, through, or under Client, for any and all injuries, claims, losses, expenses, or damages, including, without limitation, attorneys' fees, arising out of or in any way related to WJE's services, the Project, or these Terms, from any cause or causes whatsoever, including but not limited to, negligence, strict liability, indemnity or breach of contract shall not exceed an amount equal to the proceeds obligated to be paid under WJE's applicable insurance policy for such claims. If, for any reason, the applicable insurance policy does not provide coverage for any particular claim described herein, then the liability amount shall not exceed WJE's fees for the services performed hereunder.

In no event shall WJE be liable in contract, tort, strict liability, warranty or otherwise, for any special, incidental or consequential damages, such as, but not limited to, delay, disruption, loss of product, loss of anticipated profits or revenue, loss of use of equipment or system, non-operation or increased expense of operation of other equipment or systems, cost of capital, or cost of purchase or replacement equipment systems or power.

15. Third-Party Beneficiaries. Nothing contained in these Terms shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Client or WJE. WJE's services hereunder are being performed solely for the benefit of the Client, and no other entity shall have any claim against WJE because of these Terms or WJE's performance or non-performance of services hereunder.

16. Entire Agreement. These Terms together with any written proposal shall constitute the entire understanding of the parties concerning the Project and supersede all prior negotiations and written agreements between them, and any amendment or modification to either WJE's proposal or these Terms may be made only by a written instrument expressly stated to be an amendment and signed by WJE.

17. Severability. If any provisions of these Terms, or portions thereof, are determined to be unenforceable, the remainder shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.

J

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

**Item Title: Resolution Authorizing a Subordination of Lien, BPIP-010,
(1014 S Taylor Avenue)**

Resolution or Ordinance No. _____
Date of Board Action: **November 28, 2011**

Staff Review:

Department Director Name: 
Tammie Grossman

Village Manager's Office: 

Item History (Previous Board Review, Related Action, History):

On September 7, 2004, pursuant to the Barrie Park Investment Program, the Board of Trustees approved a \$15,000 loan to the owner of 1014 S Taylor Avenue. The loan is supported by a mortgage which was recorded against the property. The mortgage was recorded as a second mortgage on the property with the purchase loan mortgage being first.

Loans made under the Barrie Park program are deferred for repayment until conveyance or transfer of any interest in the property. The guidelines were amended in September 2008 to clarify under what circumstances requests for subordination will be granted. The guidelines provide that in cases where former loan recipients wish to refinance mortgage(s), other than the Village's, and request that the Village maintain its subordinate position, the Village will agree to maintain its junior position if:

- a. The terms of new first mortgage are more advantageous to the homeowner and are reasonable under current market conditions; and
- b. There is adequate equity in the property to support the total proposed encumbrance, at least 15% equity (if necessary, homeowner(s) will submit an appraisal as proof of equity); and
- c. The cost of the refinance is the only allowable equity taken out of the property.

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):

The homeowner is seeking to replace their current primary mortgage at 4.75 % interest rate with a new primary mortgage at 4.125 % interest rate. This new loan will provide a fixed rate, 20 year mortgage. The amount of the new loan will be \$218,137. The homeowners are not taking any equity out of the property, except for closing costs.

The issuing lender will not make the loan unless that mortgage is the first mortgage lien against the property. The lender is requesting that the Village subordinate its mortgage to their new first mortgage. The Village's mortgage was created as a second mortgage. By

agreeing to subordinate, the Village is agreeing to remain in junior position as a second mortgage.

In this case, the property is appraised at \$307,469. The first mortgage of \$218,137, and the Village's \$15,000 mortgage equal total debt of \$233,137, leaving 24.17% equity. Therefore, the Village's interest is protected.

The request complies with the Village guidelines requirements. Staff is recommending the subordination.

Intergovernmental Cooperation Opportunities (describe if there are opportunities for cost savings or better service with this item by joint participation from other local Oak Park governmental agencies, or regional municipalities):

This is a normal function of loan portfolio management. No other governmental entities are involved.

Item Budget Commentary: (Account #; Balance; Cost of contract)

The subordination is not a direct cost to the General Fund. Staff time in document preparation, which is a regular part of loan portfolio management, is the only cost.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

The alternative would be to deny the subordination request which would result in the homeowner being unable to obtain a new first mortgage, or would require them to repay the Village loan, which would decrease the equity in their home and increase their monthly mortgage payments.

Proposed Recommended Action: Approve the Motion

**RESOLUTION
AUTHORIZING SUBORDINATION
OF LIEN ON PROPERTY LOCATED AT
1014 S Taylor Ave**

Whereas, the Village of Oak Park's Barrie Park Investment Program authorized the Village to make grants and loans to owners of property in the Barrie Park neighborhood for purposes of rehabilitating their properties and improving the Village's housing stock; and

Whereas, Barrie Park loans are interest-free, deferred-payment loans payable in full upon the earlier of the conveyance or transfer of any interest in the subject property by the mortgagor; or the conveyance or transfer of any interest in the subject property by the estate of the mortgagor and are supported by a Note and a Mortgage which is recorded against the property; and

Whereas, the Village awarded a Fifteen Thousand (\$15,000) loan to Patrick Donohue and Binita Donohue as the owners of 1014 S Taylor Avenue pursuant to the Barrie Park Investment Program; and

Whereas, Patrick Donohue and Binita Donohue entered into a Note for \$15,000 dated September 7, 2004; and

Whereas, the Village recorded the mortgage with the Cook County Recorder of Deeds; and

Whereas, at the time the mortgage was recorded, it was a second mortgage against the property; and

Whereas, Patrick Donohue and Binita Donohue have applied and been conditionally approved for a new primary mortgage with JP Morgan Chase Bank, N.A.; and

Whereas JP Morgan Chase Bank, N.A is conditioning the approval on being the first mortgage against the property; and

Whereas, the Village specifically finds that for its mortgage to remain second is consistent with the goals of the Barrie Park Investment Program.

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, as follows:

SECTION 1: FINDINGS:

The above stated recitals shall be incorporated herein as findings of fact.

SECTION 2:

The Village Manager is authorized and directed to execute a Subordination of Lien for the purposes set forth in the Findings. Said Subordination shall conform substantially to the Subordination attached hereto as Exhibit A.

SECTION 3:

The Village Manager is authorized and directed to endorse the Village's Note for the subject property with the following recital: "This Note in the amount of \$15,000 is secured by a Mortgage which is junior and subordinate to the lien of that certain Mortgage document dated _____ from JP Morgan Chase Bank, N.A."

SECTION 4:

This Resolution shall be in full force and effect from and after its passage and adoption as provided by law.

ADOPTED this 28th day of November, 2011 pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 28th day of November, 2011.

David G. Pope
Village President

Attest:

Teresa Powell
Village Clerk

NOTE

J

\$15,000.00

Oak Park, Illinois, September 7, 2004

FOR VALUE RECEIVED, Patrick Donohue and Binita Donohue promises to pay to the Village of Oak Park, Illinois the principal sum of FIFTEEN THOUSAND and no/100 (\$15,000.00) Dollars and no interest except as follows: The principal shall be payable in full upon the earliest of the following occurrences or date:

The conveyance or transfer of any interest in the following described real estate by the mortgagor or by the estate of the maker;

The principal of each of said installments unless paid when due shall bear interest after maturity at the then highest rate permitted by law or nine percent per annum whichever is greater. Said payments are to be made at such banking house or trust company, as the legal holder of this note may, from time to time, in writing appoint, and in the absence of such appointment, then at the office of the Finance Director, 123 Madison Street, Oak Park, Illinois 60302.

Without the prior written consent of the holder or holders of this note, the maker or makers hereof shall not convey or encumber title to the premises securing the payment hereof. The holder or holders of this note may elect to accelerate the entire unpaid principal balance in the manner hereinafter provided herein for breach of this covenant and no delay in such election after actual or constructive notice of such breach shall be construed as a waiver of or acquiescence in any such conveyance or encumbrance.

The payment of this note is secured by mortgage, bearing even date herewith, on real estate in the County of Cook, Illinois; and it is agreed that at the election of the holder or holders hereof and without notice, the principal sum remaining unpaid hereon, together with accrued interest thereon, shall become at once due and payable at the place of payment aforesaid in case of default in the payment of principal or interest when due in accordance with the terms hereof, or in case the maker or makers hereof shall convey or encumber title to the premises securing the payment hereof without the written consent of the holder or holders, or in case default shall occur and continue for three days (in which event election may be made at any time after the expiration of said three days, without notice) in the performance of any other agreement contained in said mortgage. A violation notice from the Village of Oak Park shall be *prima facie* evidence of a default in the performance of the mortgagor's agreement to keep the premises fully repaired and in compliance with the Code of the Village of Oak Park including the provisions relating to Housing, Building, Zoning, and Fair Housing, as set forth in paragraph 1(17) of the aforementioned mortgage.

All parties hereto severally waive presentment for payment, notice of dishonor, protest and notice of protest.

REVIEWED AND APPROVED
AS TO FORM

NOV 23 2011
Thomas W. Barwin
LAW DEPARTMENT

Patrick E. Donohue
Patrick Donohue

Binita Donohue
Binita Donohue

ENDORSEMENT

This Note in the amount of \$15,000 is secured by a Mortgage which is junior and subordinate to the lien of that certain Mortgage document dated _____ from JP Morgan Chase Bank, N.A.

Thomas W. Barwin
Village Manager

Initial
Patrick Donohue

Initial
Binita Donohue

PIN: 16-17-313-043-0000

Subordination of Lien

WHEREAS, Patrick Donohue and Binita Donohue by Mortgage dated 7th day of September, 2004, and recorded in Office of the Cook County, Illinois Recorder of Deeds on September 15, 2004 as document number 0425948105, conveyed to the Village of Oak Park, to secure an installment Note for FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00) with interest payable as therein provided, certain premises in Cook County, Illinois, described as follows:

Lot 12 (except the North 5 feet) and the North 15 feet of Lot 13, in Block 6 in Austin's Park Subdivision in Section 17 Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Permanent Real Estate Index Number: 16-17-313-043-0000

Common Address: 1014 South Taylor Avenue Oak Park, Illinois 60304

And WHEREAS, Patrick Donohue and Binita Donohue by Mortgage, dated _____, and recorded in the Office of the Cook County Recorder of Deeds as Document _____, did convey to JP Morgan Chase Bank, N.A. the same above described premises to secure an Installment Note for \$218,137.00 with interest, payable as therein provided; and

WHEREAS, the Installment Note secured by the Mortgage first described is held by the Village of Oak Park, an Illinois Municipal Corporation, as sole owner and not as agent for collection, pledge or in trust for any person, firm or corporation; and

WHEREAS, the Village of Oak Park wishes to subordinate its Mortgage lien to the JP Morgan Chase Bank, N.A. Mortgage lien recorded as Document No. _____ on _____ in the Office of the Cook County Recorder of Deeds.

NOW THEREFORE, in consideration of the premises and of the sum of One Dollar (\$1.00) to it in hand paid, the Village of Oak Park hereby covenants and agrees with JP Morgan Chase Bank, N.A. that the Village of Oak Park's Mortgage lien and the Installment Note which it secures, as above described, shall be and remain at all times a second lien upon the above described premises subject to the above described Mortgage lien of JP Morgan Chase Bank, N.A. for all advances made or to be made on the note secured by the JP Morgan Chase Bank, N.A. Mortgage and for all other purposes specified therein.

WITNESS the Village of Oak Park has caused this Subordination to be signed by its duly authorized officer and attested by a Notary Public this 28th day of November, 2011.

ATTEST:

VILLAGE OF OAK PARK

BY: _____

Teresa Powell, Village Clerk

TITLE: Village President

I, the undersigned, a Notary Public in Cook County, Illinois, do hereby certify that David Pope, Village President for the Village of Oak Park, personally known to me to be the same person whose name appears above, appeared before me this day in person and acknowledged that he signed, sealed and delivered this document as a free and voluntary act for the uses and purposes set forth herein, on behalf of the Village of Oak Park, being first duly authorized thereon to.

Given my hand and Notarial Seal _____
(Date)

(Notary Public)

Deliver to: Recorder's Office Box No. 321

REVIEWED AND APPROVED
AS TO FORM

NOV 23 2011
David Pope
LAW DEPARTMENT

K

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

Item Title: Motion to accept Historic Preservation Commission Resolution and Findings of Fact and approve an ordinance authorizing amendment of Section 7-9-8F of the Village Code designating 639 N. Oak Park Avenue as a Historic Landmark.

Resolution or Ordinance No. _____

Date of Board Action: November 28, 2011

Staff Review:

Douglas Kenue

Department Director Name:

W. Taylor

Village Manager's Office:

W/O

Citizen Advisory Board or Commission Issue Processing (Dates of Related Commission Meetings):

The Historic Preservation Ordinance, adopted by the Village Board in 1994, enables the Historic Preservation Commission to recommend, and the Village Board to adopt by Ordinance, local landmarks within the Village. The property must meet one or more of 8 criteria for designation as listed in the ordinance. The ordinance calls for the Commission to hold a public hearing and then forward a recommendation in the form of a Resolution to the Village Board. Upon receipt of the Resolution and nomination report, the Village Board has 30 days in which to designate or reject the nomination by simple majority. Upon approval, the Board shall enact an ordinance designating the landmark.

- A. Nomination for Landmark status submitted: October 4, 2011
- B. HPC preliminary determination of eligibility: October 13, 2011
- C. HPC public hearing; approved Resolution and Findings of Fact: November 10, 2011

Item Policy Commentary (Key Points, Current Issue, Bid Process, Recommendation):

On October 4, 2011 the Historic Preservation Commission received a completed Oak Park Historic Landmark nomination form for the property at 639 N. Oak Park Avenue. The Historic Preservation Commission conducted a preliminary determination of eligibility on October 13, 2011 which determined that the property met four of the criteria for designation contained in the Historic Preservation Ordinance.

The Historic Preservation Commission conducted the required Public Hearing on November 10, 2011. Legal Notice of the Public Hearing was published in the October 26, 2011 Wednesday Journal and hearing notices were mailed to Village property owners within 250 feet of the site.

The Historic Preservation Commission approved the nomination as the Findings of Fact and recommended approval of the property as an Oak Park Historic Landmark by the attached Resolution on November 10, 2011 as is mandated in the Historic Preservation Ordinance.

The property at 639 N. Oak Park Avenue is known as the *Rankin-Hemingway House*. The two and one-half story frame Queen Anne-style house was designed by architect E. E. Roberts in 1896. The property is significant for its architecture, for its association with architect Roberts and for its association with George R. Hemingway, a prominent businessman who worked in real estate, who lived in the house for 39 years. The property meets the following criteria under section 7-9-5 of the Historic Preservation Ordinance "Criteria for Designation of Historic Landmarks and Interior Historic Landmarks":

- (1) Significance as an example of the architectural, cultural, economic, historic or social development or heritage of the Village of Oak Park, the State or the United States.
- (3) Identification with a person or persons who significantly contributed to the architectural, cultural, economic, historic or social heritage of the Village of Oak Park.
- (5) Embodiment of those distinguishing characteristics of a significant architectural style.
- (6) Identification as the work of an architect whose individual work is significant in the development of the Village of Oak Park.

Staff Commentary (If applicable or different than Commission):

Village staff recommends acceptance of the Historic Preservation Commission findings and recommendations by Resolution and the approval of the ordinance designating 639 N. Oak Park Avenue as a Historic Landmark.

Item Budget Commentary: (Account #; Balance; Cost of contract)

The amount of \$250 (account #1001-46200-332-530662) has been budgeted for this item for a bronze plaque and is also the current amount requested.

Item Action Options/Alternatives (List the alternative actions; list the positive and negative implications of each; if no alternatives, explain why):

The alternative is to not accept the recommendations of the Historic Preservation Commission and not designate the property as a Historic Landmark. This would save the Village \$250 but would not protect the historic character of the building in the future.

Proposed Recommended Action:

Move to accept the Historic Preservation Commission Findings and Recommendations by Resolution and approve an ordinance designating 639 N. Oak Park Avenue as a Historic Landmark.

Resolution for 639 N. Oak Park Avenue recommended by the Historic Preservation Commission, dated November 10, 2011
Ordinance designating 639 N. Oak Park Avenue as a Historic Landmark
Minutes from the October 13, 2011 HPC meeting (preliminary determination of eligibility)
Minutes from the November 10, 2011 HPC meeting (public hearing)
List of Exhibits
Oak Park Historic Landmark Nomination Form and Report for 639 N. Oak Park Avenue

**ORDINANCE AUTHORIZING AMENDMENT OF SECTION 7-9-8F
OF THE VILLAGE CODE RELATING TO HISTORIC LANDMARKS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, in accordance with the Home Rule Powers granted to it under Article VII, Section 6 of the Constitution of the State of Illinois (1970), as amended, as follows:

SECTION 1: That the Village Board approves and adopts the findings and recommendations of the Historic Preservation Commission set forth in its Resolution attached hereto as Exhibit A.

SECTION 2: That Section 7-9-8F of the Village Code entitled "Designation of Historic Landmarks and Interior Historic Landmarks" is hereby amended to read as follows:

**7-9-8: DESIGNATION OF HISTORIC LANDMARKS AND INTERIOR HISTORIC
LANDMARKS:**

F. The following properties and/or improvements have been designated as Oak Park Historic Landmarks (including Interior Landmarks) pursuant to this Article:

1. Frank Lloyd Wright Home & Studio
428 Forest and 951 Chicago Avenue
Interior, Exterior and Improvements
2. John Farson Home
217 Home Avenue
Exterior, Walk and Fence
3. Pilgrim Congregational Church
460 Lake Street
Exterior
4. Unity Temple
875 Lake Street
Interior and Exterior
5. Ernest Hemingway Birthplace Home
339 N. Oak Park Avenue
Interior and Exterior

6. The Plaza Hotel
123 S. Marion Street
Exterior
7. The Plaza Hotel
123 S. Marion Street
Interior
The lobby or foyer area including: the four-story atrium with a turned spindle latticework stairway, the ornamental stained and beveled glass door surround between the foyer of the original building and the former dining area in the addition, and the two (2) brick archways leading off from the foyer area. (Ord. 1998-0-14, 3-16-98)
8. The Hills-DeCaro House
313 Forest Avenue
Exterior
9. The Rollin Furbeck House
515 Fair Oaks Avenue
Exterior
10. The Harry S. Adams House
710 Augusta Street
Exterior – House and Coach House
11. The George Furbeck House
223 N. Euclid Avenue
Exterior
12. The Thomas Gale House
1027 Chicago Avenue
Exterior
13. The Oak Park and River Forest Day Nursery
1139 Randolph Street
Exterior
14. Charles Roberts House
321 N. Euclid Avenue
Exterior – House and Garage
15. Roberts Building
300-304 N. Grove Avenue/818 Erie Street
Exterior
16. Odd Fellows Hall
812-818 Harrison Street
Exterior

17. The Albert and Kittie Ernst House
1023 Wenonah Avenue
Exterior
18. Oak Park Conservatory
615 Garfield Street
Exterior – Original Structure
19. Park Grove and Park View Manor
173-181 N. Grove Avenue
Exterior
20. Bishop Quarter School Addition
605 Lake Street
Exterior
21. C. A. Sharpe House (Cheney Mansion)
220 N. Euclid Avenue
Exterior – House, Greenhouse, Coach House, Fence
22. Andreas Brisch House
701 S. East Avenue
Exterior
23. Harold C. Lewis House
950 Columbian Avenue
Exterior
24. George and James Tough House
1045 Wesley Avenue
Exterior – House and Garage
25. Poley Building
408-410 S. Austin Blvd.
Exterior
26. Margaret Morse House
1036 Fair Oaks Avenue
Exterior
27. Albert Schneider House
553 N. Marion Street
Exterior
28. Dorothy Manor Apartments
424-426 S. Austin Blvd.
Exterior
29. Maze Branch Library
845 Gunderson Avenue
Exterior, Interior (Main Floor, Foyer)

30. First United Methodist Church
324 N. Oak Park Avenue
Exterior
31. Howard Jenkins House
500 Linden Avenue
Exterior – House and Garage
32. Dr. Harry Bernhardt Cottage
705 S. East Avenue
Exterior – House and Garage
33. Charles W. Eils House
625 S. Oak Park Avenue
Exterior – House and Garage
34. Boulevard Arcade Building
1033 South Boulevard
Exterior
35. Cicero Fire House No. 2
129 Lake Street
Exterior
36. Gustaf and Fride Benson House
1139 Woodbine Avenue
Exterior – House and Garage
37. Robert Parker House
1019 Chicago Avenue
Exterior
38. Linden Apartments
175-181 Linden Avenue/643-645 Ontario Street
Exterior – Building and Garage
39. Charles Schwerin House
639 Fair Oaks Avenue
Exterior – House and Garage
40. Edward and Caroline McCready House
231 N. Euclid Avenue
Exterior – House, Garage, and Retaining Wall
41. Russell Wallace House
178 N. Euclid Avenue
Exterior – House and Garage

42. Charles S. Castle House
647 Linden Avenue
Exterior – House and Garage
43. Joseph D. Everett House
228 Forest Avenue
Exterior
44. Chester Flitcraft House
845 Chicago Avenue
Exterior
45. Paul Blatchford House No. 1
250 Forest Avenue
Exterior
46. William A. Douglass House
317 N. Kenilworth Avenue
Exterior, Coach House
47. Nineteenth Century Club
178 Forest Avenue
Exterior
48. Rutherford-Dodge House
308 N. Oak Park Avenue
Exterior
49. Vernon W. Skiff House
633 N. East Avenue
Exterior, Coach House, Fence
50. Charles E. Matthews House
432 N. Kenilworth Avenue
Exterior, Garage
51. Harlem Office Building
1515 N. Harlem Avenue
Exterior
52. John D. Caldwell House
130 S. East Avenue
Exterior
53. Charles W. Helder House
629 Fair Oaks Avenue
Exterior, Garage
54. Freeman Landon House
700 S. Lombard Avenue
Exterior, Garage

- 55. George and Mary Sheppard House
217 S. Humphrey Avenue
Exterior

- 56. **Rankin-Hemingway House**
639 N. Oak Park Avenue
Exterior, Garage

SECTION 3: THIS ORDINANCE shall be in full force and effect from and after its adoption and publication in accordance with law.

ADOPTED this 28th day of November 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 28th day of November 2011.

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

RESOLUTION

Village of Oak Park Historic Preservation Commission

WHEREAS, the Commission Staff on behalf of the property owner (hereinafter referred to as "applicant") filed a Nomination for Landmark Status on October 4, 2011 for the Rankin-Hemingway House with the Historic Preservation Commission, (hereinafter referred to as "Commission") the property being located at 639 N. Oak Park Avenue, Oak Park, Illinois; and

WHEREAS, Christina Morris, Chair of the Historic Preservation Commission scheduled the nomination for preliminary review at the regularly scheduled Historic Preservation Commission meeting of October 13, 2011; and

WHEREAS, at that regularly scheduled meeting the Historic Preservation Commission, it was unanimously determined that there was a likelihood that the nominated property would meet one or more of the criteria for designation contained in the Historic Preservation Ordinance; and

WHEREAS, Christina Morris, Chair of the Historic Preservation Commission, set Thursday evening, November 10, 2011 at 7:30 p.m. as the date and time of a public hearing held at Oak Park Village Hall, 123 Madison Street, to take testimony on the question as to whether the Rankin-Hemingway House should be recommended for Nomination as an Oak Park Landmark; and

WHEREAS, notice of the time and place of said public hearing was duly published on October 26, 2011 in the Wednesday Journal, a newspaper of general circulation in the Village of Oak Park, and letters were also mailed to property owners within 250 feet of the subject property, advising them of the application and the public hearing to be held thereon; and

WHEREAS, on November 10, 2011 this Commission did have a quorum of members present; and

WHEREAS, this Commission having fully heard and considered the testimony of the applicant and others present at the hearing and materials submitted prior to and during the hearing, does hereby find the following:

1. That the property includes a two and one-half story frame house designed in 1896 in the Queen Anne style, including the original wood clapboard siding front and side bays and a two-story addition constructed in 1916.
2. That the house was constructed for George and Charlotte Rankin, who lived in the house for three years until the death of Mrs. Rankin. The Rankin family was prominent in Oak Park and dealt in grain on the Chicago Board of Trade.

3. That the house was owned and lived in by George and Anna Hemingway for 39 years. George Hemingway was the founder and president of the George R. Hemingway Company in Oak Park, a prominent real estate businessman.
4. That the building was designed by E. E. Roberts, a prominent architect who designed many buildings in Oak Park and the Chicago area in the late 19th and early 20th century.
5. That the evidence presented showed that the property meets the following criteria under section 7-9-5 of the Historic Preservation Ordinance "Criteria for Designation of Historic Landmarks and Interior Historic Landmarks":
 - (1) *Significance as an example of the architectural development or heritage of the Village of Oak Park.*
 - (3) *Identification with a person or persons who significantly contributed to the architectural, cultural, economic, historic or social heritage, or other aspect, of the Village of Oak Park.*
 - (5) *Embodiment of those distinguishing characteristics of a significant architectural style.*
 - (6) *Identification as the work of an architect whose individual work is significant in the development of the Village of Oak Park.*

Now, therefore, be it and it is hereby resolved that this Historic Preservation Commission, acting under and by virtue of the authority conferred upon it by the Ordinance of the Village of Oak Park, does hereby recommend to the President and Board of Trustees of the Village of Oak Park that the property located at 639 N. Oak Park Avenue and known as the Rankin-Hemingway House be designated an Oak Park Historic Landmark under the provisions of the Oak Park Historic Preservation Ordinance.

Thursday, November 10, 2011.

Oak Park Historic Preservation Commission
October 13, 2011 Meeting Minutes
Oak Park Village Hall, Council Chambers – 7:30 pm

ROLL CALL

PRESENT: Chair Christina Morris, Greg Battoglia, Frank Heitzman, Rosanne McGrath, Regina Nally, Drew Niermann, Tony Quinn
ABSENT: Joerg Albrecht, Garret Eakin, Bob Lempera, Gary Palese
STAFF: Douglas Kaarre, Urban Planner

Historic Landmark: Preliminary Determination of Eligibility for 639 N. Oak Park Avenue

Chair Morris introduced the nomination. Planner Kaarre provided an overview of the application. The Rankin-Hemingway House was constructed in 1896 and designed in the Queen Anne style by architect E. E. Roberts. A two-story addition was constructed in 1916. The house was built for George Rankin and family, who lived in the house for two years. George Hemingway, a prominent local realtor, and his family began living in the house in 1900, purchased the house in 1908, and remained there until 1939. The house was nominated under the following criteria for designation:

- (1) Significance as an example of the architectural, cultural, economic, historic or social development or heritage of the Village of Oak Park;
- (3) Identification with a person or persons who significantly contributed to the architectural, cultural, economic, historic or social heritage, or other aspect, of the Village of Oak Park;
- (5) Embodiment of those distinguishing characteristics of a significant architectural type, or style, or engineering specimen;
- (6) Identification as the work of a builder, designer, architect, craftsman, engineer or landscape architect whose individual work is significant in the development of the Village of Oak Park.

Angela Gutierrez, 639 N. Oak Park Avenue, stated that they bought the house in 2007 and having been restoring the exterior. They were told the house was associated with George Hemingway, who owned a lot of property, but are excited to know it was actually his house. They support the landmark nomination.

Motion by Heitzman to approve the Preliminary Determination of Eligibility for Historic Landmark designation for 639 N. Oak Park Avenue under criteria 1, 3, 5 and 6 as submitted . Second by Niermann.

Commissioner Heitzman noted that the synthetic siding was recently removed from the house and that this will be potential issue with the National Register in the future as some synthetic siding may become a historic change to a house.

Planner Kaarre noted that it will depend on what criteria properties are nominated under, the period of significance for the property, and when the synthetic siding was added.

Commissioner Heitzman stated that this should be a future HPC discussion.

Commissioner McGrath stated that some designation criteria don't deal specifically with architecture.

Planner Kaarre noted that if a property has historical significance, but is clad in synthetic siding, it is still possible that it could be eligible for designation.

Commissioner Heitzman stated that the house at 639 N. Oak Park is transitional from the decorative Victorian to the more restrained. E. E. Roberts worked in many styles. It has commonality with Frank Lloyd Wright's Victorian designs.

Motion approved 7-0.

Oak Park Historic Preservation Commission
November 10, 2011 Meeting Minutes
Oak Park Village Hall, Council Chambers – 7:30 pm

ROLL CALL

PRESENT: Chair Christina Morris, Joerg Albrecht, Greg Battoglia, Frank Heitzman, Bob Lempera, Regina Nally, Drew Niermann, Gary Palese
ABSENT: Garret Eakin, Rosanne McGrath, Tony Quinn
STAFF: Douglas Kaarre, Urban Planner

Historic Landmark: Public Hearing for 639 N. Oak Park Avenue

Chair Morris introduced the nomination. The Rankin-Hemingway House was constructed in 1896 and designed in the Queen Anne style by architect E. E. Roberts. The Commission made a preliminary determination of eligibility at the October 13, 2011 meeting.

Angela Gutierrez, 639 N. Oak Park Avenue, stated that they are excited about the nomination. It is an important house not only for the architect E. E. Roberts but also as the home of George Hemingway. It's important for the house to be recognized.

Planner Kaarre read the list of exhibits into the record.

There was no public testimony.

Commissioner Heitzman stated that he would be interested in learning more about the relationship between the Dunlop family and the Rankin family. The Dunlops were an important family in Oak Park. He also noted that the house is transitional from the decorative Victorian to the more restrained Prairie style.

Commissioner Lempera noted that if the owners propose any future restoration, they should look at restoring the front porch columns and removing the jalousie window and roof windows.

Motion by Heitzman to accept the nomination report for 639 N. Oak Park Avenue as the Findings of Fact under criteria (1), (3), (5) and (6). Second by Lempera. Motion approved 8-0.

Motion by Heitzman to forward a Resolution and the Findings of Fact for 639 N. Oak Park Avenue to the Village Board of Trustees for approval . Second by Albrecht. Motion approved 8-0.

Motion by Albrecht to close the public hearing. Second by Niermann. Motion approved 8-0.

Before the
Oak Park Historic Preservation Commission
639 N. Oak Park Avenue
Public Hearing on Historic Landmark Designation
November 10, 2011

LIST OF EXHIBITS

A) Newspaper Articles and Historical Research Documentation

- Andreas, A. T. History of Cook County, Illinois. Chicago: A. T. Andreas, 1884.
- "Anson T. Hemingway." Oak Leaves, October 9, 1926.
- "Begin Big Work." Oak Leaves, December 3, 1913, p. 6.
- "Broker Grieves for Wife and Ends Life." Chicago Daily Tribune, October 12, 1901, p. 2.
- Brooke, Les. Yesterday When I Was Younger. Oak Park: First Chicago Bank of Oak Park, 1989.
- "George Hemingway Dies at 77." Oak Leaves, October 1, 1953, p. 105.
- "Hemingway Elected Bank Director." Oak Leaves, August 17, 1912.
- "Hemingway Marks 50th Anniversary." Oak Leaves, March 8, 1945, p. 114B.
- "Hemingway Reunion." Oak Leaves, August 27, 1911.
- June, Frank H. and George R. Hemingway. Glimpses of Oak Park, Oak Park, Illinois, 1912.
- Marquis, Albert Nelson: Editor. The Book of Chicagoans. Chicago: A.N. Marquis & Co., 1911.
- Oak Park Directories, 1895-1939.
- "Oak Park Firm Celebrates Its 50th Birthday." Chicago Daily Tribune, March 18, 1945.
- "Oak Park Land Values Soar Eighty Million Percent." Chicago Daily Tribune, October 15, 1933.
- "Realtor for 32 Years." Oak Leaves, October 22, 1927, p. 77.
- "Realty Notes." Chicago Daily Tribune, September 22, 1956.
- Steiner, Frances H. "E. E. Roberts, A Catalog," The Prairie School Review, Vol. X, No. 3, 1973, p. 21.
- "Wed Fifty Years: Mr. and Mrs. A. T. Hemingway Pass Golden Anniversary." Oak Leaves, September 1, 1917, p. 6.

B) Certificate of publication of legal notice for public hearing, published in the Wednesday Journal on October 26, 2011

C) Notice of public hearing to property owner of 639 N. Oak Park Avenue and property owners within 250 feet dated October 26, 2011 and list of addressees.

D) Photographs of 639 N. Oak Park Avenue



HISTORIC LANDMARK NOMINATION FORM

1. Name of Property

Historic name 1 RANKIN-HEMINGWAY HOUSE

2. Location

Street & number 639 N. OAK PARK AVENUE

3. Classification

Ownership of Property

(Check as many boxes as apply)

private

Category of Property

(Check only one box)

building(s)

structure

Number of Resources within Property

Contributing Noncontributing

1

buildings

structures

1

Total

Type of Designation

exterior

public interior

4. Function or Use

Historic and Current Function (Enter categories from instructions)

Category: DOMESTIC

Subcategory: SINGLE DWELLING

5. Description

Architectural Style: QUEEN ANNE

Areas of Significance

- (1) Significance as an example of the architectural, cultural, economic, historic or social development or heritage of the Village of Oak Park;
- (3) Identification with a person or persons who significantly contributed to the architectural, cultural, economic, historic or social heritage, or other aspect, of the Village of Oak Park;
- (5) Embodiment of those distinguishing characteristics of a significant architectural type, or style, or engineering specimen;
- (6) Identification as the work of a builder, designer, architect, craftsman, engineer or landscape architect whose individual work is significant in the development of the Village of Oak Park.

Period of Significance

1896-1916

Architect

Eben E. Roberts

Builder

N-A / Harper & Butendorff

6. Representation in Existing Surveys

7. Legal Description

The south 13 feet of lot 1 and the north 1/2 of lot 4 in Coolidge's subdivision of block 1 in Austin, Morrey and Slente's subdivision of the southeast 1/4 of the southwest 1/4 of section 6, township 39 north, range 13, east of the third principal meridian in Cook County, Illinois
Pin#: 16-06-323-019

8. Form Prepared By

name/title DOUGLAS KAARRE, AICP / URBAN PLANNER email kaarre@oak-park.us
organization VILLAGE OF OAK PARK date OCTOBER 4, 2011
street & number 123 MADISON STREET phone (708) 358-5417
city or town OAK PARK state ILLINOIS zip code 60302

9. Property Owner

name ANGELA GUTIERREZ & PAUL RINALDI email angelamarie36@hotmail.com
street & number 639 N. OAK PARK AVENUE telephone (708) 954-7730
city or town OAK PARK state ILLINOIS zip code 60302

owner consents to historic landmark designation: yes no

Paul Rinaldi Angelamarie36 10.13.11
Signature Date

Applicant(s) – If different than Property Owner

name _____ email _____
street & number _____ telephone _____
city or town _____ state _____ zip code _____

10. Official Action

Date Application Submitted: October 4, 2011

Preliminary Determination of Eligibility October 13, 2011

Public Hearing: November 10, 2011

Result: HPC Forwarded recommendation to Village Board

Date of Village Board Action: _____

Result: _____

Date of Village Board Action: _____

Result _____



123 MADISON STREET, OAK PARK, ILLINOIS 60302

HISTORIC LANDMARK NOMINATION REPORT



Rankin-Hemingway House
639 North Oak Park Avenue

Preliminary Determination of Eligibility approved by the
Oak Park Historic Preservation Commission on October 13, 2011

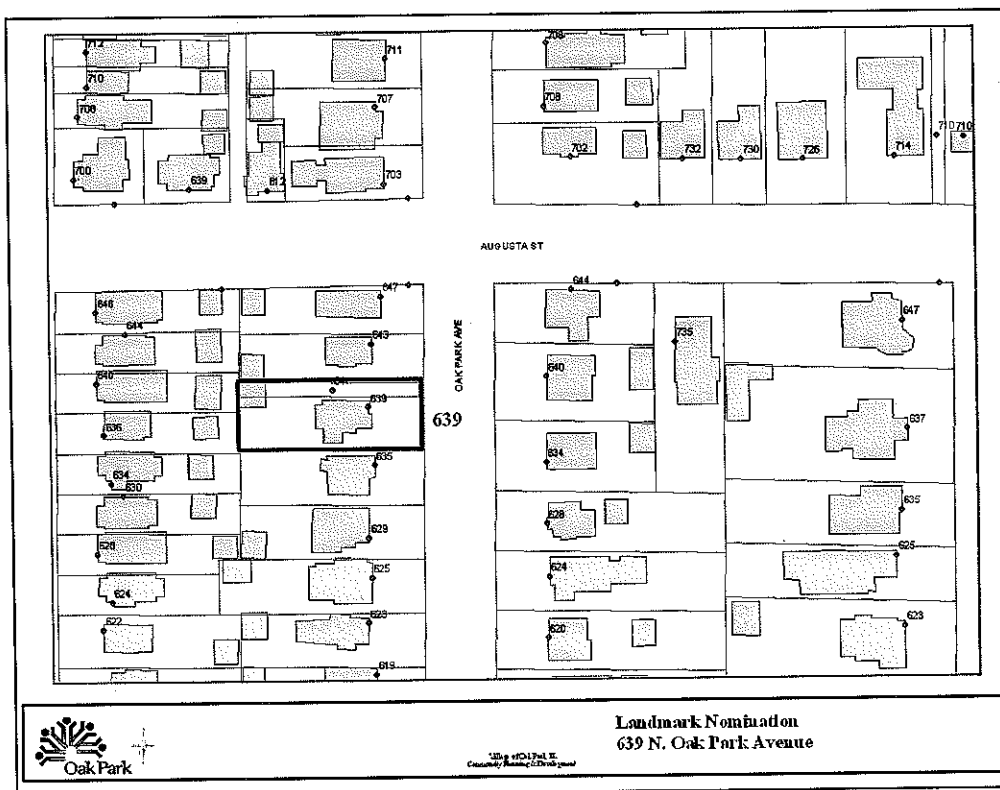
Designated by Village Ordinance on

Rankin-Hemingway House

639 N. Oak Park Avenue

Built: 1896-1916
Architect: Eben E. Roberts

The 1896 Rankin-Hemingway House is located at 639 N. Oak Park Avenue in Oak Park, Illinois, and faces east. The two and one-half story wood frame house sits on the west side of the street just to the south of Augusta Street. The house is an example of the Queen Anne style of architecture. The first floor rests on a raised foundation of limestone ashlar construction. The house is clad in wood clapboard siding. Typical of the Queen Anne style, each wall surface is broken up with many elements in an asymmetrical fashion. A two-story addition was constructed by Harper & Butendorff on the south elevation in 1916. The house was designed by architect E. E. Roberts and was one of three houses Robert's designed at Oak Park and Augusta streets based on the October 2, 1896 notice in the Oak Park Reporter that noted "E. E. Roberts & Company have started one of the three houses they will build at Oak Park Avenue and Augusta Street."¹



The east (front) façade is comprised of a two and one-half story bay encompassing the south half of the façade capped by a triangular pedimented gable. A square window is centered in the gable end which extends prominently over the bay. The three-sided bay is symmetrical in design with three large double-hung windows on each floor. The north half of the façade

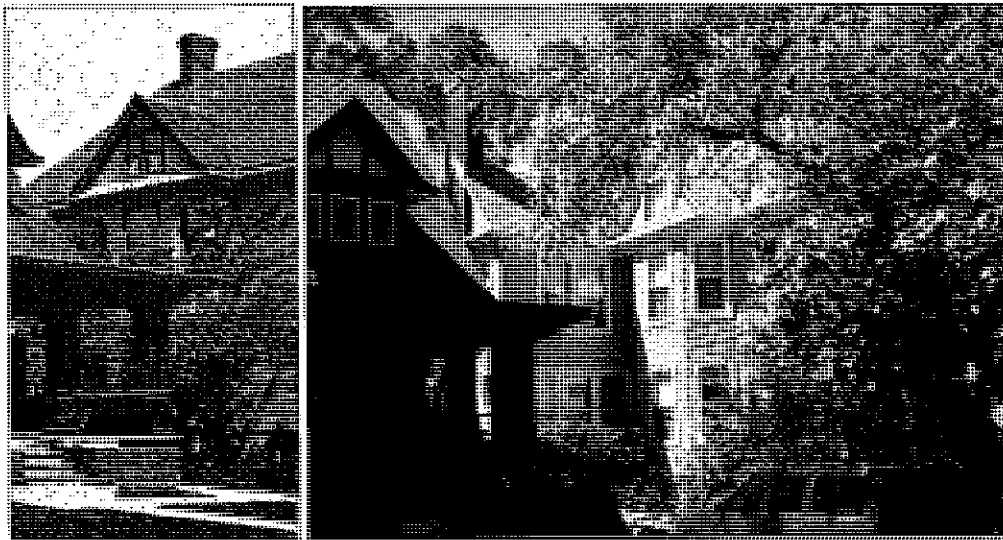
¹ Oak Park Reporter, October 2, 1896.

is a flush wall plane with a partial width open porch and central wood stair. The original porch posts were replaced in the mid-Twentieth century with decorative wrought-iron railings and supports, though no permit records are on file. The original stone supports remain beneath the porch. The single entry door is slightly off-set to the south with a transom window above, all of which is encased in wood trim. A single double-hung window is centered on the second floor. Capping the house is a tall, steeply sloped hip roof clad in asphalt shingles. A high rough stone foundation wraps the base of the house beneath wide horizontal banding. The remainder of the façade is clad with the original narrow wood clapboard, which was recently painted in a historic color scheme. The siding was covered for many years with asphalt shingles that were removed by the current owners in 2011.



View of house before (L) and after (R) the removal of the asphalt siding

A two and one-half story bay similar in design to the front façade, though slightly smaller, is centered on the south façade. The symmetrical design with three double-hung windows on each floor is also capped by a prominent gable extending out and set on the same wide horizontal molding that wraps the house at the eave line. A small fixed diamond pane glass window with red and blue panes of glass is set in the first floor façade east of the bay.



View of the house in 1912 and 2011 (Source: Glimpses of Oak Park, 1912)

The 1916 two-story addition extends south into the side yard directly west of the bay. The simple massing and design details of the house were incorporated into the design of the addition with some modifications. Window placement on the east façade remains symmetrical; however, banding of three double-hung windows on the first floor and paired double-hung windows on the second floor constitute the major change in fenestration. The wood molding at the eave line is simpler in design and scale. The wing is capped by a triangular pedimented gable end and central square window, with a tall and wide red brick chimney cutting through the roof line and eaves and extending to ground level. The addition also is set on a foundation with basement windows.

The north façade is a two-story flat plane with windows of varying shapes and sizes irregularly placed on each floor. A small gabled dormer with broken pediment and central square window is centered on the roof plane. A second red brick chimney is centered on the roof ridge near the back of the house. The north façade is clad with narrow wood clapboard siding above wide wood baseboard separating it from the stone foundation.

A narrow concrete driveway extends from the street along the north edge of the property to a two-car wood frame garage with hip roof constructed for George Hemingway by W. C. Frank in 1911.



History of the Rankin/Hemingway House

The Rankin/Hemingway House is an example of a late Victorian house designed in the Queen Anne style of architecture. It was constructed in 1896 with an addition in 1916. The house was designed by architect E. E. Roberts, well known in Oak Park and throughout the Chicago area in the late 19th and early 20th centuries. The house is significant as the home of prominent local realtor George Hemingway, for its design in the Queen Anne style and its association with Roberts.

George Rankin

The property at 639 N. Oak Park Avenue was part of a subdivision at the southeast corner of Augusta and Oak Park that was subdivided by Anson Hemingway in 1880. Anson divided the property into smaller lots and sold them to various people, including George Butters and his wife in 1889. Butters sold the lot to John Rankin in 1889, who held the property until its development in 1896 and sold it to his son George Rankin.² John Rankin immigrated to America in 1849 from Scotland, locating in Chicago. In 1875 he formed John Rankin & Company, a commission house dealing in grain.³ In 1880 he moved his family to Oak Park from Elgin. After 1891 they lived in the prominent Queen Anne style home at 245 N. Kenilworth Avenue. His family included his wife, son George, and six daughters – Jessie, Anne, Bethea, Isabella, Margaret (Mrs. Simpson Dunlop), and Mrs. A. W. Hutchins of Austin.⁴



Chicago Tribune, October 12, 1901

² Title search completed at the Cook County Recorder of Deeds, 118 N. Clark Street, Chicago.

³ A. T. Andreas, History of Cook County, Illinois, Chicago: A. T. Andreas, 1884, p. 792.

⁴ Oak Park Directories and Blue Books.

George Rankin married Charlotte Belknap of Oak Park in 1893 and they had a son John, born in 1896. Also that year George purchased the newly constructed home for their growing family at 639 N. Oak Park from his father. The house, which was designed by architect E. E. Roberts, was to be their home for only three years, as Charlotte Rankin died unexpectedly in 1898. In 1899 George sold the house to Isaac and Margaret Ratcliff and moved in with his sister Margaret Dunlop at 417 N. Kenilworth Avenue. On October 11, 1901, still grieving for the his wife's untimely death, George Rankin committed suicide on the front porch of his sister's home by shooting himself in the heart. He was 43 years old.⁵

The Ratcliffs rented the house to A. J. Elliott after purchasing the house in 1899. Elliott was one of the owners of Rosenthal & Elliott, a firm that dealt in furs.⁶

George and Anna Hemingway

In 1900 George and Anna (Ratcliff) Hemingway began renting the house at 639 N. Oak Park. Anna was the daughter of Isaac and Margaret Ratcliff, who moved to Oak Park from Ohio to be near their recently married daughter. Their son Wood Ratcliff was also living in Oak Park.⁷ In 1908 George and Anna Hemingway officially purchased the house, where they remained until 1939. George R. Hemingway was born in Oak Park in 1876 to Anson and Adelaide Hemingway. He was the third child with three brothers (Willoughby, Alfred, Clarence) and two sisters (Anginette, Grace). He graduated from Oak Park & River Forest High School in 1893 and attended Oberlin College in Ohio. In 1895 Hemingway opened his own real estate office at 101 N. Marion Street, "for the transaction of the general real estate, insurance and loan business."⁸ He constructed the "Real Estate Building" at 121 N. Marion Street in 1909, where his offices occupied the second floor.



Hemingway Real Estate Building, 121 N. Marion Street

⁵ "Broker Grieves for Wife and Ends Life," Chicago Daily Tribune, October 12, 1901, p. 2.

⁶ Oak Park Directory 1899.

⁷ Lee Brooke, Yesterday When I Was Younger..., Oak Park: First Chicago Bank of Oak Park, 1989, p. 235.

⁸ "Realtor for 32 Years," Oak Leaves, October 22, 1927, p. 77.

Hemingway loaned millions of dollars for home building over the years but reportedly never foreclosed a mortgage or was involved in any property-related lawsuits. *"It is my opinion that anyone who buys Oak Park land at the present market price (1927) will find his property to be in a rising market."*⁹ Hemingway subdivided and sold acres of land in Oak Park during the steady growth of the Village in the early twentieth century. He was quoted in the Chicago Tribune in 1933 on the significant demand in housing and rise in land value in Oak Park,

*"Land from Ridgeland to East Avenue and from August to Division was a cow pasture only fifteen years ago. In 1917 I sold lots on both sides of Euclid, from Thomas to Division, for \$8 a front foot and resold them in 1926 for \$100 a front foot. Land at Augusta and Fair Oaks Avenue that sold for \$800 an acre in 1913 was sold at the rate of \$24,000 an acre in 1926. Lots on Madison Street, from Oak Park Avenue to Austin Boulevard, that brought \$25 a front foot in the boom of 1890, sold for \$300 a front foot in 1925."*¹⁰

By 1927 Hemingway employed 11 salesmen. He incorporated his office in 1924 and all the stock in the business was owned by him and his co-workers, then known as the George R. Hemingway Organization.¹¹ In 1933 the office moved to the Parkside Building at 1026 North Boulevard, where it remained until being renamed Houser Real Estate.



George R. Hemingway, 1913

(Source: Historical Society of Oak Park & River Forest)



Hemingway, ca. 1925

George married Anna Ratcliff in 1898 and the couple had three children: George, Jr., who

⁹ Ibid, p. 77.

¹⁰ "Oak Park Land Values Soar Eighty Million Per Cent," Chicago Daily Tribune, October 15, 1933, p. A12.

¹¹ Ibid., p. 77.

died at a young age, Margaret (who later married Homer Bundy), and Virginia (who later married George Spayde).¹² George was active in professional and social circles; he served as president of the Park Board, was elected as president of the Board of Realtors in 1921, and was a director of the Oak Park Trust and Savings Bank.¹³ Following his retirement in 1939 he moved from 639 N. Oak Park to his summer home at Hemingway Point, Lake Charlevoix, in Michigan where he operated an evergreen nursery business. George Hemingway died of a stroke at Little Traverse Hospital in Petoskey, Michigan on September 26, 1953 at the age of 77. He is buried in Boyne City, Michigan.¹⁴

Property owners included the following (source: title search):

1880 – Anson T. Hemingway
1880 – George Butters & wife
1889 – John Rankin
1896 – George Rankin
1899 – Isaac and Margaret Ratcliff
1908 – George and Anna Hemingway
1933 – Virginia Hemingway et.al
1939 – Community Bank & Loan Association of Oak Park
1942 – Wesley A. Young & wife
1945 – Chicago Title & Trust Company
1952 – Paul B. N. & Evelyn Lind
2004 – Angela Gutierrez & Paul Rinaldi

Eben Ezra Roberts, Architect

Born in Boston, Massachusetts, in 1866, E.E. Roberts was the second child of George Smith Roberts, a woodcarver, and Hattie Whitman Sanborn. He attended public school in Boston and Meredith, New Hampshire before entering Tilton Seminary in New Hampshire, where he studied drafting and architecture. George Smith Roberts was skilled in mechanical drawing and art, and is often credited with instructing the young E.E. Roberts in drafting.¹⁵

E.E. Roberts' older brother, Thomas Elmer, moved to Chicago to study at Rush Medical Center in 1888. The rest of the Roberts family followed, settling in Oak Park. In 1889, E.E. Roberts found employment with Chicago architect Solon S. Beman, first as a timekeeper and later as a supervisor of construction.¹⁶ Roberts soon opened his own architectural practice in Oak Park, emphasizing residential architecture. Roberts employed several draftsmen, including William Gray Purcell in 1902 and John Van Bergen in 1908-09. Roy Hotchkiss was his head draftsman for many years, and later opened his own practice in the Village. His most well-known work is the Art Deco Medial Arts Building at 715 Lake Street.¹⁷ He moved his office to Chicago in 1912 to focus on commercial architecture, but always

¹² "George Hemingway Dies at 77," *Oak Leaves*, October 1, 1953, p. 105.

¹³ "Hemingway Marks 50th Anniversary," *Oak Leaves*, March 8, 1945, p. 114B.

¹⁴ "George Hemingway Dies at 77," *Oak Leaves*, October 1, 1953, p. 105.

¹⁵ Katherine Keleman. Oak Park Historic Landmark nomination for 625 S. Oak Park Avenue, prepared for property owner Kevin Cuthbert and submitted on July 26, 2006, p. 6.

¹⁶ Unpublished biographical essay on E.E. Roberts written by his grandson, Howard Roberts Drew, dated December 1993.

¹⁷ Don Gunning. Wright Plus 2004 Research Report for the Charles Lorenzen House, 635 Fair Oaks.

remained a resident of Oak Park. Roberts lived with his wife, Rossie (Willey) Roberts in a house of his design at 1019 Superior Street until his death in 1943. They had two children, Margaret Willey (b. 1895) and Elmer Clifford (b. 1896). Roberts made his son Elmer a partner in his practice in 1922, four years before poor health prompted Roberts to partially retire. He continued to live in his house at 1019 Superior until his death in 1943.¹⁸



Elmer E. Roberts, architect

(Source: Historical Society of Oak Park & River Forest)

E. E. Roberts
ARCHITECT
Rooms 8 and 9
Oak Park Trust and Savings
Bank Building
Phone—Office 1125. Res. 1914
101 Marion St. - OAK PARK

(Source: Oak Leaves, September 3, 1904)

Roberts enjoyed a prolific career, and he was fluent in many architectural styles. His early homes were simple, clapboard two-story structures with steep roofs, sometimes with Victorian or Classical detailing. Roberts also designed Queen Anne Style homes, such as the Hoover house of 1896, located at 521 N. Euclid Avenue, which features an octagonal tower, several bays, and a gabled roof. The Sampson Rogers House at 537 N. Euclid Avenue, built in 1895, is constructed in the Shingle Style and has an overhanging attic, off-center entrance, and octagonal bays. In 1896-1897 Roberts designed two large Queen Anne homes for prominent banker brothers Simpson and Joseph Dunlop at 407 and 417 N. Kenilworth Avenue.

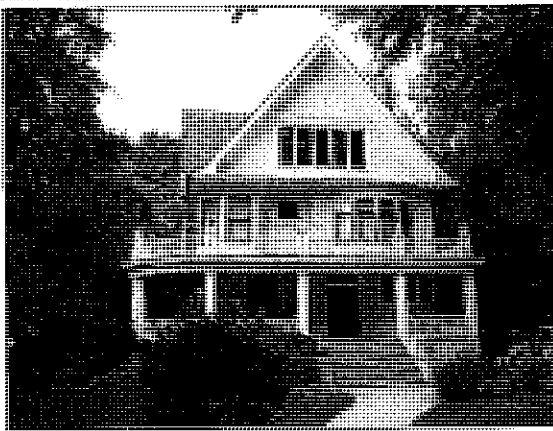
¹⁸ Don Gunning. Wright Plus 2004 Research Report for the Charles Lorenzen House, 635 Fair Oaks.



521 N. Euclid Avenue, 1899



537 N. Euclid Avenue, 1899



407 N. Kenilworth Avenue, 1898



417 N. Kenilworth Avenue, 1897

The 1908 Elliott House, located at 539 N. Oak Park Avenue, employs half-timbering in its Tudor Revival design, a nationally popular style at the time. Roberts also designed such public buildings as the 1908 Prairie Style Scoville Building on Lake Street and Oak Park Avenue and the original Village Hall, at 635 Lake Street, a Neoclassical structure built in 1903 (now demolished). A number of Oak Park churches and schools also were designed by Roberts. The Village of Oak Park has declared several of his buildings as Historic Landmarks, including the Park Grove and Park Manor apartments, 173-181 N. Grove (1922, 1926-27), the Roberts Building, 300-304 N. Grove (1926), and the Maze Branch Library, 845 Gunderson (1936).¹⁹

¹⁹ These three buildings were constructed in the later part of Roberts' career. Although E.E. Roberts was still a partner and advisor in the firm, his son, Elmer, drove the designs for their commissions following 1926.



539 N. Oak Park Avenue, 1908

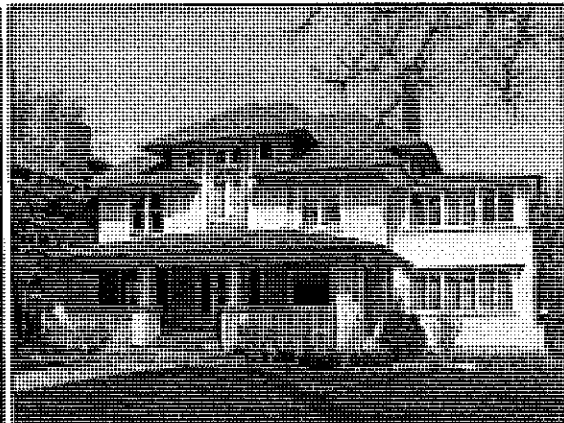


129-151 N. Oak Park, Excelsior Building, 1908

Around the turn-of-the-century, Roberts turned away from traditional and revival styles, and he embraced a more modern mode of architecture. He began to design homes with flattened wall planes, strong woodwork, and wide eaves, which lent his houses a rectilinear appearance. According to Frances Steiner, who wrote her 1970 thesis on E.E. Roberts, the A.J. Redmond House, located at 422 Forest Avenue, marks a transformation in Roberts' designs.²⁰ Built in 1900, the house features broad eaves, heavy porch piers, and greater horizontal emphasis. Succeeding the Redmond House, Roberts designed the Magill House (1903) at 164 N. Euclid Avenue, in the "rectilinear" style, now commonly referred to as the Prairie School. It is composed of heavy interlocking blocks, a wide roof with dormers and deep eaves, and a porch with substantial piers and a low, hipped roof.²¹



422 Forest, A. J. Redmond House, 1900



164 N. Euclid Avenue, Magill House, 1903

Following the Redmond and Magill houses, Roberts designed dozens of solid, two-story, symmetrical homes in the modern, rectilinear style (later referred to as the Prairie or Prairie-influenced), often varying only the dormers. Hipped roofs, full-width porches, and broad eaves are recurrent. Houses such as the geometric Lorenzen House (1908) at 635 Fair Oaks Avenue, with its heavy porch posts, and the Henderson House (1904) at 715 N. Oak

²⁰ Op. cit., Keleman, p. 6.

²¹ Ibid., p. 6.

Park Avenue, with its low roof and complex arrangement of block-like parts, reflect the influence of the Prairie School on Roberts' architecture.²²



636 Fair Oaks, Lorenson House, 1906



715 N. Oak Park, Henderson House, 1904

Roberts' homes of this period reflect his association with the Prairie School. As an Oak Park architect in the early twentieth century, it was impossible to escape the influence of Frank Lloyd Wright, who was pioneering a revolutionary movement in the architectural landscape. Roberts was a friend and colleague of the circle of progressive Prairie School architects that included Wright, George Maher, George Elmslie, William Purcell, Dwight Perkins, and Robert Spencer, among others. Though not all of these architects worked out of Oak Park, Wright's influence centered the movement in that town. Roberts' worth lies in the fact that he bridged the radicalism of the Prairie School with the more conservative popular taste.²³ In their Survey of Historical Architecture of the Village of Oak Park, Hasbrouck and Sprague claim that it is "possible that Roberts was the person responsible for evolving out of the Queen Anne and from suggestions by Wright and Maher, the kind of non-historical rectilinear style that was so common in Oak Park, from about 1900 to 1915."²⁴ Roberts' early adaptations of the style represent the shape Prairie School architecture would take as it disseminated from Oak Park.

Queen Anne style

The Rankin-Hemingway House has picturesque elements that characterize the Queen Anne style, such as asymmetrical massing, steeply pitched roofs, and large bays. Decorative elements on the house fall under the sub-type referred to as "Free Classic" Queen Anne style, which became common after 1890.²⁵ The Queen Anne style uses wall surfaces as primary decorative elements, often by incorporating bays, dormers and towers into the design, or by using materials with different textures, such as shingles and clapboards.²⁶ The Rankin/Hemingway House utilizes many of these elements in its design. Documentation shows that the front gable was once clad in fishscale shingles.

²² Ibid, p. 6.

²³ Ibid., p. 7.

²⁴ Wilbert R. Hasbrouck and Paul E. Sprague, *Survey of Historical Architecture of the Village of Oak Park, Illinois* (Oak Park: Landmarks Commission of Oak Park, 1974), 21.

²⁵ Virginia & Lee McAlester, *A Field Guide to American Houses*, New York: Alfred A. Knopf, 2000, p. 264.

²⁶ McAlester, p. 266.

The Queen Anne style was named and popularized by a group of 19th-century English architects led by Richard Norman Shaw. The name had little to do with Queen Anne of England or the formal Renaissance architecture that was dominant during her reign (1702-14). Instead, they borrowed most heavily from late Medieval models of the preceding Elizabethan and Jacobean eras. The spindlework and Free Classic subtypes are American interpretations of the work of Shaw and his colleagues in England.²⁷

Spurred on by architectural books, the style then took off across America. In one form or another, its popularity stretched from the late 1870s through the first decade of the 20th century.²⁸ The style could be adapted to houses of all sizes. It worked in the city on narrow lots, and in the country on farms and estates. It worked in wood or masonry. Floor plans could be individualized almost endlessly, with porches and verandahs and towers and bays added at will.²⁹

Criteria for Designation

According to Section 7-9-6(B) of the Oak Park Historic Preservation Ordinance, the Historic Preservation Commission must make a preliminary determination of eligibility after receiving a nomination. A determination of preliminary eligibility must be based upon a finding that there is a likelihood that a nominated historic landmark will meet one or more of the "Criteria for Designation" set forth in Section 7-9-5 of this Article.

The Rankin-Hemingway House was nominated under the following criteria:

- (1) Significance as an example of the architectural development or heritage of the Village of Oak Park;
- (3) Identification with a person or persons who significantly contributed to the architectural, cultural, economic, historic or social heritage of the Village of Oak Park, the State, or the United States;
- (5) Embodiment of those distinguishing characteristics of a significant architectural style;
- (6) Identification as the work of an architect whose individual work is significant in the development of the Village of Oak Park, the State of Illinois and the United States;

In addition, the property is at least 50 years old and has sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration.

²⁷ Ibid., p. 268.

²⁸ James Massey & Shirley Maxwell, House Styles in America, New York: Penguin Group, 1996, p. 128.

²⁹ Ibid., p. 131.

Bibliographical References

Primary and unpublished sources

Village of Oak Park building permit no. 3101, dated August 4, 1911 for 639 N. Oak Park. Owner: George R. Hemingway, Contractor: W. C. Frank. One story frame garage valued at \$300.

Village of Oak Park building permit no. 7184, dated September 11, 1916 for 639 N. Oak Park. Owner: George R. Hemingway, Contractor: Harper & Butendorff. Two story residential addition valued at \$1,000.

Secondary and published sources

Andreas, A. T. History of Cook County, Illinois. Chicago: A. T. Andreas, 1884.

"Anson T. Hemingway." Oak Leaves, October 9, 1926.

"Begin Big Work." Oak Leaves, December 3, 1913, p. 6.

"Broker Grieves for Wife and Ends Life." Chicago Daily Tribune, October 12, 1901, p. 2.

Brooke, Les. Yesterday When I Was Younger. Oak Park: First Chicago Bank of Oak Park, 1989.

"George Hemingway Dies at 77." Oak Leaves, October 1, 1953, p. 105.

"Hemingway Elected Bank Director." Oak Leaves, August 17, 1912.

"Hemingway Marks 50th Anniversary." Oak Leaves, March 8, 1945, p. 114B.

"Hemingway Name Goes, Now Houser Real Estate." Oak Leaves.

"Hemingway Reunion." Oak Leaves, August 27, 1911.

June, Frank H. and George R. Hemingway. Glimpses of Oak Park, Oak Park, Illinois, 1912.

Marquis, Albert Nelson: Editor. The Book of Chicagoans. Chicago: A.N. Marquis & Co., 1911.

McAlester, Virginia and Lee McAlester. A Field Guide to American Houses. New York: Alfred A. Knopf, 2000.

Massey, James C. and Shirley Maxwell. House Styles in America: The Old-House Journal Guide to the Architecture of American Homes. New York: Dovetale Publishers, 1996.

Oak Park Directories, 1895-1939.

"Oak Park Firm Celebrates Its 50th Birthday." Chicago Daily Tribune, March 18, 1945.

"Oak Park Land Values Soar Eighty Million Percent." Chicago Daily Tribune, October 15, 1933.

"E. E. Roberts & Co. have started one of the three houses they will build at Oak Park Avenue and Augusta Street." Oak Park Reporter, October 2, 1896.

"Realtor for 32 Years." Oak Leaves, October 22, 1927, p. 77.

"Realty Notes." Chicago Daily Tribune, September 22, 1956.

Sinkevitch, Alice, Editor. AIA Guide to Chicago. Chicago: Harcourt, Inc., 2004.

Steiner, Frances H. "E. E. Roberts, A Catalog," The Prairie School Review, Vol. X, No. 3, 1973, p. 21.

"Wed Fifty Years: Mr. and Mrs. A. T. Hemingway Pass Golden Anniversary." Oak Leaves, September 1, 1917, p. 6.

Wickes, Molly: Managing Editor. A Guide to Oak Park's Frank Lloyd Wright and Prairie School Architecture Historic District. Oak Park: Oak Park Historic Preservation Commission, 1999.

Withey, Henry F. and Elsie Rathburn Withey. Biographical Dictionary of American Architects (Deceased). Los Angeles, Hennessey & Ingalls, Inc., 1970 (original 1956).

OAK PARK HISTORIC PRESERVATION COMMISSION

Christina Morris, Chair
Joerg Albrecht
Greg Battoglia
Garret Eakin

Frank Heitzman
Bob Lempera
Rosanne McGrath
Regina Nally

Drew Niermann
Gary Palese
Tony Quinn

The Commission is staffed by the Community Planning and Development Department, Village of Oak Park, 123 Madison Street, Oak Park, Illinois 60302

Nomination Report prepared by:
Douglas Kaarre, AICP
Urban Planner/Historic Preservation
Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302
(708) 358-5417
kaarre@oak-park.us

VILLAGE OF OAK PARK
AGENDA ITEM COMMENTARY

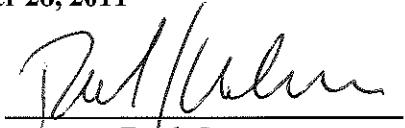
L

Item Title: RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH BLUE CROSS/BLUE SHIELD OF ILLINOIS FOR 2012 PPO AND HMO HEALTH INSURANCE INCLUDING AGGREGATE AND INDIVIDUAL STOP LOSS COVERAGE.

Resolution or Ordinance No. _____

Date of Board Action November 28, 2011

Staff Review:



Human Resources Director: Frank Spataro

Village Manager's Office: _____

Item History: The Village is self-insured for health insurance. Using the services of CBC, the Village's employee benefits consulting firm, the Village selects providers and determines the necessary funding levels for its self insurance program. In addition, the Village has historically protected its self-insured health fund against excessive claims with individual and aggregate stop-loss coverage for both PPO and HMO health insurance programs.

Item Policy Commentary: The Village's Employee Health Insurance Fund (Fund 6028) serves as the funding source for the Village's health insurance, including prescription drug, dental insurance and life insurance benefits for Village employees. The Village and its employees contribute to the Health Insurance Fund through payroll deductions from which claims are paid for medical services and prescription drugs.

Blue Cross/Blue Shield of Illinois acts as the third party administrator for the Village's health insurance. The Village offers two PPO and two HMO plans to its employees, as well as to partner agencies.

Through the Blue Cross/Blue Shield PPO and HMO plans, BC/BS provides individual and aggregate stop loss insurance coverage. The individual stop loss insurance is excess insurance coverage that takes effect when an individual employee accrues more than \$125,000 in claims. The Aggregate Excess Loss Coverage takes effect when the plan's total claims exceed 135% of the Average Claim Value times the number of participants in the HMO and PPO Plans. In 2012, the Aggregate Excess Loss Limit for the HMO is \$1,183,850 and \$4,217,421 for the PPO. In other words, the Village is self-insured for claims up to those levels, and BC/BS provides coverage for claims over those monetary levels. The cost for the Aggregate Excess Loss Coverage is prorated among the Village and partner agencies participating in the plan.

	AVERAGE CLAIM VALUE (ACV)	ATTACHMENT POINT	Employees in Plans	AGGREGATE EXCESS LOSS LIMIT	ANNUAL COST OF INSURANCE
HMO IL & BA	\$4,451	\$6,009	197	\$1,183,850	\$8,581
PPO & PPO Legacy	\$832	\$1,123	313	\$4,217,421	\$17,870
	(Per Employee)	(135% of ACV)	510		\$26,451

Health insurance premiums are based on CBC and Blue Cross/Blue Shield's analysis of the Village's claim history over the past twenty-four months. CBC and BC/BS recommend that the Village increase the 2012 funding for health insurance by five percent (5.0%) over 2011; this increase marks the fifth straight year of 5.0% premium increases. The monthly health insurance premium schedule for Village employees for the 2012 PPO, PPO Legacy, HMO Illinois and HMO Blue Advantage plans shown below represent a 5.0% increase over 2011 rates, and also show the Village and employee-paid portion of the monthly premiums.

The split between the Village and employee-paid portion of the premium is stated in several collective bargaining agreements and therefore, has remained constant for at least ten years with the Village-paid portion ranging from 82.5 to 88.5 percent of the total premium based on the type of plan (HMO or PPO) and level of coverage (single, single +1, or family).

Partner and Other Agencies

The Village's self insurance fund and BC/BS excess coverage is extended to employees of the Oak Park Library, Oak Park Township, and the West Suburban Consolidated Dispatch Center. The Park District is leaving the Village plan for 2012 to join a fully-funded insurance pool for park and recreation departments. Each outside agency fully funds their participation in the Village plans through employer/employee contributions. While the Village expects employees of outside agencies to pay proportionately the same amount of their monthly premium as Village employees, the cost-sharing formulas are set by the respective boards of the participating agencies.

Agreements With Blue Cross/Blue Shield Of Illinois For 2012 PPO And HMO Health Insurance Including Aggregate And Individual Stop Loss Coverage

Attached are the following agreements from Blue Cross/Blue Shield specifying the rates for various components of the 2012 health insurance plan.

- **Attachment 1** is the Benefit Program Application for the Blue Cross/Blue Shield Preferred Provider Option (PPO) setting forth the terms and conditions for participation in the general PPO and PPO Legacy (a higher deductible but lower premium) plans.
- **Attachment 2** is titled "Exhibit to the Stop Loss Coverage Policy" and pertains to the aggregate and individual stop loss insurance described above for the PPO plans.
- **Attachment 3** is Benefit Program Application for the Blue Cross/Blue Shield Health Maintenance Option (HMO) setting forth the terms and conditions for participation in the HMO Illinois and HMO Blue Advantage plans.
- **Attachment 4** is titled "Application for Excess Loss Coverage (HMO Cost-Plus Accounts Only) and pertains to the aggregate and individual stop loss insurance described above for the PPO plans.

Item Budget Commentary

The total expected cost of the 2012 health insurance program including the payment of claims, administrative fees and aggregate and individual stop-loss coverage is \$6,139,350. Fund 41080-6028 is the "Health Insurance Fund" from which these and other insurance and benefit-related expenses are budgeted and paid. Rates for the non-Village participants (Oak Park Library, Oak Park Township and West Suburban Consolidated Dispatch Center are one percent (1.0%) higher than the Village rates below, and the rates charged to former employees continuing their health care coverage under COBRA are two percent (2.0%) higher than the rates below. Finally, retirees participating in the Village's health insurance plan pay the same monthly premium as Village employees.

HEALTH PLAN	COVERAGE	MONTHLY PREMIUM	Village-Paid Portion	% of Premium Paid by VOP	Employee-Paid Portion	% of Premium Paid by the Employee
Preferred Provider Option (PPO)	SINGLE	\$649.10	\$536.04	82.58%	\$113.06	17.42%
	SINGLE +	\$1,259.30	\$1,055.08	83.78%	\$204.22	16.22%
	FAMILY	\$1,813.54	\$1,540.06	84.92%	\$273.48	15.08%
				83.76%		16.24%
Preferred Provider Option (PPO) Legacy Plan	SINGLE	\$568.88	\$469.18	82.48%	\$99.70	17.52%
	SINGLE +	\$1,096.40	\$916.52	83.59%	\$179.88	16.41%
	FAMILY	\$1,577.76	\$1,340.72	84.98%	\$237.06	15.02%
				83.68%		16.32%
Health Maintenance Option (HMO) Illinois	SINGLE	\$554.28	\$491.08	88.60%	\$63.20	11.40%
	SINGLE +	\$1,081.80	\$940.80	86.97%	\$141.00	13.03%
	FAMILY	\$1,558.32	\$1,372.34	88.06%	\$185.98	11.94%
				87.88%		12.12%
Health Maintenance Option (HMO) Blue Advantage	SINGLE	\$505.66	\$447.32	88.46%	\$58.34	11.54%
	SINGLE +	\$982.14	\$854.50	87.00%	\$127.64	13.00%
	FAMILY	\$1,414.88	\$1,244.70	87.97%	\$170.18	12.03%
				87.81%		12.19%

Proposed Action: Approve the Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BLUE CROSS/BLUE SHIELD OF ILLINOIS FOR 2012 PPO AND HMO HEALTH INSURANCE INCLUDING AGGREGATE AND INDIVIDUAL STOP LOSS COVERAGE.

BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized and directed to execute agreements with Blue Cross/Blue Shield of Illinois for HMO and PPO Health insurance aggregate and individual stop loss coverage for the Village's self insured health fund. Those agreements shall conform substantially to the terms set forth on the Applications set forth as Exhibit A.

Be it further resolved that the Village of Oak Park and Village employee contribution levels to the PPO and HMO will be as at the rates stated on Exhibit B.

THIS RESOLUTION shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 28th day of November, 2011 pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ADOPTED AND APPROVED by me this 28th day of November, 2011.

David G. Pope
Village President

ATTEST:

Teresa Powell
Village Clerk

ASO

Benefit Program Application ("ASO BPA")

Applicable to Administrative Services Only (ASO) Group Accounts
administered by Blue Cross and Blue Shield of Illinois, a division of Health Care Service Corporation,
a Mutual Legal Reserve Company, hereinafter referred to as "Claim Administrator" or "HCSC"

Employer Account Number (6-digits): 010156

Employer Group Number(s): P10156, P10251

Section Number(s): see attached

Employer Name: Village of Oak Park

(Specify the employer or the employee trust applying for coverage. Names of subsidiary or affiliated companies to be covered must also be included. AN EMPLOYEE BENEFIT PLAN MAY NOT BE NAMED.)

Address: 123 Madison Street

City: Oak Park

State: IL

Zip: 60302-4205

Standard Industry Code (SIC): 8990

Employer Identification Number (EIN): 366006027

Subsidiaries:

Affiliated Companies:

(If Affiliated Companies to be covered are listed above, a separate "Addendum to the Benefit Program Application Regarding Affiliated Companies" must be completed, signed by the Employer's authorized representative, and attached to this Benefit Program Application.)

Administrative Contact: Mr. Frank Spataro

Phone Number: 708-358-5652

Fax Number:

Title: Human Resource Director

Email Address:

Blue Access for Employers (BAE) Contact: Mr. Frank Spataro

Phone Number: 708-358-5652

spataro@oak-park.us

Fax Number:

(The BAE Contact is the Employee of the Account authorized by the Employer to access and maintain its account via BAE.)

Email Address:

spataro@oak-park.us

ERISA Plan: Yes No

If yes, specify ERISA Plan Year:

ERISA Plan Administrator:

Plan Administrator's address:

Effective Date of Coverage: 01/01/2012

Anniversary Date: 01/01/2013

SCHEDULE OF ELIGIBILITY

1. Eligible Person means:

- A full-time employee of the Employer.
 A full-time employee who is a member of:

(name of union)

Other: Retirees: Policemen and Firemen must be at least age 50 with 20 years of service. Regular full-time employees must be at least age 55 with 8 years of service.

2. Full-Time Employee means:

- A person who is regularly scheduled to work a minimum of 35 hours per week and who is on the permanent payroll of the Employer.
 Other:

3. The Effective Date of termination for a person who ceases to meet the definition of Eligible Person:
- The date such person ceases to meet the definition of Eligible Person.
 - The last day of the calendar month in which such person ceases to meet the definition of an Eligible Person.
 - Other: Coverage ends the end of the month that the employee terminates.

4. Domestic Partners covered: Yes No

If yes: A Domestic Partner, as defined in the Plan, shall be considered eligible for coverage. The Employer is responsible for providing notice of possible tax implications to those Covered Employees with Domestic Partners.

If yes, are Domestic Partners eligible to continue coverage under COBRA? Yes No

If yes, are dependents of Domestic Partners eligible for coverage? Yes No If yes, the Limiting Age for covered children of Domestic Partners means twenty-six (26) years, regardless of presence or absence of a child's financial dependency, residency, student status, employment, marital status or any combination of those factors.

5. The Limiting Age for covered children is **Twenty-six (26) years**, regardless of presence or absence of a child's financial dependency, residency, student status, employment, marital status or any combination of those factors. For plan years beginning before January 1, 2014, an ASO grandfathered group health plan may exclude an adult child under 26 from coverage only if the child is eligible to enroll in an eligible employer sponsored health plan (as defined in Section 5000A(f)(2) of the Internal Revenue Code) other than a group health plan of a parent.

If Employer is an Illinois county, municipality, the State of Illinois, or subject to the Illinois School Code, this Limiting Age is extended to **thirty (30) years**, for unmarried eligible military personnel as described in the Employer's Plan.

To cover dependent children age twenty-six (26) and over other than unmarried eligible military personnel described above, you may select and complete option i. or ii. below:

- i. The Limiting Age for covered children age twenty-six (26) or over,
 - who are unmarried
 - regardless of marital status,
 is ____ years. (Twenty-seven (27) through thirty (30) are the available options.)
- ii. The Limiting Age for covered children **who are full-time students** and age twenty-six (26) or over,
 - who are unmarried
 - regardless of marital status,
 is ____ years (Twenty-seven (27) through thirty (30) are the available options.)

Coverage based on the Limiting Age(s) elected above terminates on:

- The birthday on which the Limiting Age is reached.
- The last day of the calendar month in which the Limiting Age is reached.

However, such coverage shall be extended in accordance with any applicable federal or state law.

6. The Eligibility Date for a person who becomes an Eligible Person after the Effective Date of the Employer's health care plan:

- The date of employment.
- The ____ day of employment.
- The ____ day of the month following ____ month(s) or ____ days of employment.
- The ____ day of the month following the date of employment.
- Other: if hired the 1st through the 15th of the month, the eligibility date is the first of the month. If hired the 16th through the last day of the month, eligibility is the first of the month following 30 days.

7. Enrollment:

Special Enrollment: An Eligible Person may apply for coverage, Family coverage or add dependents within thirty-one (31) days of a qualifying event if he/she did not apply prior to his/her Eligibility Date or when eligible to do so. Such person's Coverage Date, Family Coverage Date, and/or dependent's Coverage Date will be the effective date of the qualifying event or, in the event of Special Enrollment due to termination of previous coverage, the date of application of coverage. In the case of a qualifying event due to loss of coverage under Medicaid or a state children's health

insurance program, however, this enrollment opportunity is not available unless the Eligible Person requests enrollment within sixty (60) days after such coverage ends.

Late Enrollment: An Eligible Person may apply for coverage, Family coverage or add dependents if he/she did not apply prior to his/her Eligibility Date or did not apply when eligible to do so. Such person's Coverage Date, Family Coverage Date, and/or dependent's Coverage Date will be a date mutually agreed to by the Claim Administrator and the Employer.

Open Enrollment: Yes No

An Eligible Person may apply for coverage, Family coverage or add dependents if he/she did not apply prior to his/her Eligibility Date or did not apply when eligible to do so, during the Employer's Open Enrollment Period.

- Specify Open Enrollment Period: the month of December for a January 1st effective date

Such person's Coverage Date, Family Coverage Date, and/or dependent's Coverage Date will be a date mutually agreed to by the Claim Administrator and the Employer. Such date shall be subsequent to the Open Enrollment Period.

8. Extension of benefits due to Temporary Layoff, Disability or Leave of Absence:

Temporary Layoff: 0 days Disability: 365 days Leave of Absence: 365 days

However, benefits shall be extended for the duration of an Eligible Person's leave in accordance with any applicable federal or state law.

9. COBRA Auto Cancel? Yes No

Member's COBRA/Continuation of Coverage will be automatically cancelled at the end of the member's eligibility period.

ASO STATUS

1. Group Status: Renewing ASO Account
2. If a former HCSC Insured Group is converting to ASO, on what basis?
 Basis: Select from Pull Down

LINES OF BUSINESS

(Check all applicable products)	
<input checked="" type="checkbox"/> Participating Provider Option	<input type="checkbox"/> Outpatient Prescription Drugs:
<input type="checkbox"/> Point of Service (BlueChoice)	<input type="checkbox"/> Outpatient Prescription Drug Program
<input type="checkbox"/> Blue Choice Select	<input type="checkbox"/> Covered under the medical benefit
<input type="checkbox"/> Comprehensive Major Medical	<input type="checkbox"/> Dental
<input type="checkbox"/> Base Plus	<input checked="" type="checkbox"/> Blue Care Connection®

FEE SCHEDULE

Fee Schedule Period

To begin on Effective Date of Coverage and continue for:

12 Months Other (please specify): _____ Months

Administrative Charge(s)

% of Claim Payments or \$47.95 per Covered Employee per month

Applies to all coverages

Different percentage(s) or amount(s) for the following types of coverages. Please specify:

Subscriber Share Methodology for Illinois Network Provider Claims Applies: Yes No
(If no, a letter declining Subscriber Share Methodology for Claims processing must be attached to this Benefit Program Application.)

Claim Administrator Provider Access Fee(s)

Group Number(s): P10156, P10251

% of ADP Savings: **2.8%**

\$ per Covered Employee per month: \$

Complete for Groups with multiple Provider Access Fees by products (i.e., CMM, PPO and/or POS plans):

Group Number(s):

% of ADP Savings: %

\$ per Covered Employee per month: \$

BlueCard Program/Network access fees: Available upon request.

Other Service and/or Program Fee(s)

Prescription Drug Rebate: \$n/a per Covered Employee per month is the guaranteed Prescription Drug Rebate savings reflected as a Prescription Drug Rebate credit. Expected rebate amounts to be received by the Claim Administrator are passed back to the Employer with one hundred percent (100%) of the expected amount applied as a credit on the monthly billing statement on a per Covered Employee per month basis. Rebate credits are paid prospectively to the Employer and shall not continue after termination of the Prescription Drug Program. (Further information concerning this credit is included in the governing Administrative Services Agreement to which this ASO BPA is attached under the section titled "CLAIM ADMINISTRATOR'S SEPARATE FINANCIAL ARRANGEMENTS WITH PHARMACY BENEFIT MANAGERS.")

Not applicable to Grandfathered Plans

External Review Coordination:

If selected, Employer acknowledges and agrees: (i) to a fee of \$700 for each external review requested by a Covered Person that the Claim Administrator coordinates for the Employer in relation to the Employer's Plan; (ii) that the Claim Administrator's coordination shall include reviewing external review requests to ensure that they meet eligibility requirements, referring requests to accredited external independent review organizations, and reversing the Plan's determinations if so indicated by external independent review organizations; and (iii) that the external reviews shall be performed by an independent third party entity or organization and not the Claim Administrator. Amounts received by Claim Administrator and external independent review organizations may be revised from time to time and may be paid each time an external review is undertaken. Further, Employer elects for external reviews to be performed under the process selected below (select one):

State of Illinois External Review Process Federal Affordable Care Act Process

Reimbursement Provision: Yes No

If yes: It is understood and agreed that in the event the Claim Administrator makes a recovery on a third-party liability claim, the Claim Administrator will retain 25% of any recovered amounts other than recovered amounts received as a

result of or associated with any Workers' Compensation Law.

Conversion Privilege: Yes No If yes, conversion fee: \$6,000 per conversion.

Blue Care Connection ("BCC") Program

BCC Package:

Enhanced

Fee: \$ included in the administrative fee per Covered Employee per month for administration of the program package.

BCC Package Upgrade(s):

Description:

Fee: \$ per Covered Employee per month for administration of the package upgrade.

Description:

Fee: \$ per Covered Employee per month for administration of the package upgrade.

Ancillary Program:

Select from Pull Down

Termination Administrative Charge

As applies to the Run-Off Period indicated in the Payment Specifications section below:

- i. **For service charges (including, but not limited to, access fees) billed on a per Covered Employee basis at the time of termination**, the Termination Administrative Charge will be the amount equal to ten percent (10%) of the annualized charges based on the service charges in effect as of the termination date and the Plan participation of the two (2) months immediately preceding the termination date. Such aggregate amount will be due the Claim Administrator within ten (10) days of the Claim Administrator's notification to the Employer of the Termination Administrative Charge described herein.
- ii. **For service charges (including, but not limited to, access fees) billed on a basis other than per Covered Employee at the time of termination**, the Termination Administrative Charge will be such service charges in effect at the time of termination to be applied and billed by the Claim Administrator, and paid by the Employer, in the same manner as prior to termination.

Termination Administrative Charges assume the continuation of the Plan benefit program(s) and the administrative services in effect prior to termination. Should such Plan benefit program(s) and/or administrative services change, or in the event the average Plan enrollment during the three (3) months immediately preceding termination varies by ten percent (10%) or more from the enrollment used to determine the service charges in effect at the time of termination, the Claim Administrator reserves the right to adjust the rates for service charges (including, but not limited to, access fees) to be used to compute the Termination Administrative Charge.

Payment Specifications

Employer Payment Method: Online Bill Pay Electronic Check

Employer Payment Period: Weekly (cannot be selected if Check is selected as payment method above)

Twice-Monthly Monthly Other (please specify):

Claim Settlement Period: Monthly Other (please specify):

Run-Off Period

Employer Payments are to be made for 12 months following end of Fee Schedule Period.

Standard is twelve (12) months.

Final Settlement: Final Settlement is to be made within 60 days after end of Run-Off Period.

Standard is sixty (60) days.

Broker/Consultant Compensation

The Employer acknowledges that if any broker/consultant acts on its behalf for purposes of purchasing services in connection with the Employer's Plan under the Administrative Services Agreement to which this ASO BPA is attached, the Claim Administrator may pay the Employer's broker/consultant a commission and/or other compensation in connection with such services under the Agreement. If the Employer desires additional information regarding commissions and/or other compensation paid the broker/consultant by the Claim Administrator in connection with services under the Agreement, the Employer should contact its broker/consultant.

HCSC COBRA ADMINISTRATIVE SERVICES

HCSC COBRA Administrative Services Purchased: Yes No

If yes, please complete the COBRA sections below. If no, the COBRA sections below do not apply.

<input type="checkbox"/> RENEWAL - NO CHANGES	COBRA Services
COBRA Administrative Billing Services Only:	<input type="checkbox"/> Yes <input type="checkbox"/> No
COBRA Administrative Full Services:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Notification Services included: (Full Services):	<input type="checkbox"/> Yes <input type="checkbox"/> No
Conversion Rights included: (Full Services):	<input type="checkbox"/> Yes <input type="checkbox"/> No
Monthly Reports* included: <small>*Paper reports provided by mail/electronic reports via email</small>	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Email Address:
Effective date(s) of services if different from ASO Effective Date of Coverage:	
COBRA Service Charges	
Billing Services Fee per Participant per month:	\$10.00
<i>If Notification Services included (Full Services)</i>	
Notification Fee (per Participant for each notice):	\$10.00
Monthly Administrative Fee:	\$75.00
The Employer will pay HCSC a sum of One Hundred Dollars (\$100.00) per hour for any system programming costs associated with non-standard administration services.	\$100.00
COBRA Membership	
Number of Active Members*:	
Number of current COBRA participants/members*:	
Number of current COBRA retiree participants/members*:	
<small>*Full Service Unit (FSU) set-up of participants/members in BlueStar required</small>	
FSU Location:	
FSU Contact:	Phone Number:
Email Address:	Fax Number:
Is all COBRA participant census information attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is all COBRA participant coverage(s) and level elected information attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is all dependent census information attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No

COBRA Coverage

Are rates (SINGLE/FAMILY or TIERED) for all coverages attached?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is 2% included in attached rates?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does Employer have any non-HCSC coverage?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,			
Other Carrier(s):			
Name:			
Address:			
City:		State:	Zip:
Administrative Contact:		Phone Number:	Fax Number: Email Address:
Name:			
Address:			
City:		State:	Zip:
Administrative Contact:		Phone Number:	Fax Number: Email Address:
COBRA coverage begins:		<input type="checkbox"/> On date of Qualifying Event <input type="checkbox"/> First of month following date of Qualifying Event	
Should 150% of the COBRA premium be charged to participants eligible for disability extension for the remaining 11 months of COBRA? <i>(Extension is from 18 months to 29 months when deemed disabled by Social Security)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is contract provided and signed?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Prior COBRA administrator info:			
Name:			
Address:			
City:		State:	Zip:
Administrative Contact:		Phone Number:	Fax Number: Email Address:

OTHER PROVISIONS

1. Certificate of Creditable Coverage: Yes No

If yes: The Employer directs the Claim Administrator to issue to individuals, whose coverage under the Plan terminates during the term of the Administrative Services Agreement to which this ASO BPA is attached, a Certificate of Creditable Coverage. The Certificate of Creditable Coverage shall be based upon information required for issuance of a Certificate of Creditable Coverage to be provided to the Claim Administrator by the Employer and coverage under the Plan during the term of the Administrative Services Agreement.

2. Case Management Program/Medical Services Advisory: Yes No

If yes: The undersigned representative authorizes provision of alternative benefits for services rendered to Covered Persons in accordance with the provisions of the Administrative Services Agreement to which this ASO BPA is attached and the Employer's plan document.

3. Employer acknowledges and agrees to utilize Claim Administrator's standard list of services and supplies for which pre-certification is required: Yes No If no, Employer authorizes Claim Administrator to post Employer's pre-certification requirements on Claim Administrator's Website: Yes No

4. The Massachusetts Health Care Reform Act requires employers to provide, or contract with another entity to provide, a written statement to individuals residing in Massachusetts who had "creditable coverage" at any time during the prior calendar year through the employer's group health plan and to file a separate electronic report to the Massachusetts Department of Revenue verifying information in the individual written statements.

a. The Employer directs Claim Administrator to provide written statements of creditable coverage to its Covered Employees who reside, or have enrolled dependents who reside, in Massachusetts and file electronic reports to the Massachusetts Department of Revenue in a manner consistent with the requirements under the Massachusetts Health Care Reform Act. Such written statements and electronic reporting shall be based on information provided to the Claim Administrator by the Employer and coverage under the Plan during the term of the Administrative Services Agreement. The Employer hereby certifies that, to the best of its knowledge, such coverage under the Plan is "creditable coverage" in accordance with the Massachusetts Health Care Reform Act. The Employer acknowledges that the Claim Administrator is not responsible for verifying nor ensuring compliance with any tax and/or legal requirements related to this service. The Employer or its Covered Employees should seek advice from their legal or tax advisors as necessary.

Yes No

b. If no: The Employer acknowledges it will provide written statements and electronic reporting to the Massachusetts Department of Revenue as required by the Massachusetts Health Care Reform Act.

5. Stop Loss Coverage purchased: Yes No (If yes, complete a separate Exhibit to the Stop Loss Coverage Policy)
6. Fort Dearborn Life Insurance purchased: Yes No (If yes, complete separate Life application)
7. Health Care Account (HCA) Administrative Services purchased: Yes No (If yes, complete separate HCA application)
8. This ASO Benefit Program Application (ASO BPA) is incorporated into and made a part of the Administrative Services Agreement with both such documents to be referred to collectively as the "Agreement" unless specified otherwise.

ADDITIONAL PROVISIONS:

A. Grandfathered Health Plans: Employer shall provide Claim Administrator with written notice prior to renewal (and during the plan year, at least 60 days advance written notice) of any changes that would cause any benefit package of its group health plan(s) (each hereafter a "plan") to not qualify as a "grandfathered health plan" under the Affordable Care Act and applicable regulations. Any such changes (or failure to provide timely notice thereof) can result in retroactive and/or prospective changes by Claim Administrator to the terms and conditions of administrative services. In no event shall Claim Administrator be responsible for any legal, tax or other ramifications related to any plan's grandfathered health plan status or any representation regarding any plan's past, present and future grandfathered status. The grandfathered health plan form ("Form"), if any, shall be incorporated by reference and part of the BPA and Agreement, and Employer represents and warrants that such Form is true, complete and accurate.

B. Retiree Only Plans, Excepted Benefits and/or Self-Insured Nonfederal Governmental Plans: If the BPA includes any retiree only plans, excepted benefits and/or self-insured nonfederal governmental plans (with an exemption election), then Employer represents and warrants that one or more such plans is not subject to some or all of the provisions of Part A (Individual and Group Market Reforms) of Title XXVII of the Public Health Service Act (and/or related provisions in the Internal Revenue Code and Employee Retirement Income Security Act) (an "exempt plan status"). Any determination that a plan does not have exempt plan status can result in retroactive and/or prospective changes by Claim Administrator to the terms and conditions of administrative services. In no event shall Claim Administrator be responsible for any legal, tax or other ramifications related to any plan's exempt plan status or any representation regarding any plan's exempt plan status.

C. Employer shall indemnify and hold harmless Claim Administrator and its directors, officers and employees against any and all loss, liability, damages, fines, penalties, taxes, expenses (including attorneys' fees and costs) or other costs or obligations resulting from or arising out of any claims, lawsuits, demands, governmental inquiries or actions, settlements or judgments brought or asserted against Claim Administrator in connection with (a) any plan's grandfathered health plan status, (b) any plan's exempt plan status, (c) any plan's design (including but not limited to any directions, actions and interpretations of the Employer), and/or (d) any provision of inaccurate information. Changes in state or federal law or regulations or interpretations thereof may change the terms and conditions of administrative services.

The provisions of paragraphs A-C (directly above) shall be in addition to (and do not take the place of) the other terms and conditions of administrative services between the parties.

Effective 01/01/2012, renewal with rate changes. Plan changes include the following: non-participating/non-administrator pricing options set at 400% for all services, group will use the federal appeals process.

Judy Ott

 Sales Representative
 890 630-824-5602 /
 312-552-1686

 District Phone & FAX Numbers
 Mr. Jim Cornelius

 Producer Representative
 Corporate Benefit Consultants, Inc.

 Producer Firm
 2800 South River Road, Suite 130
 Des Plaines, IL 60018

 Producer Address
 847-390-3700

 Producer Phone & FAX Numbers
 jcornelius@cbcinc.com

 Producer Email Address
 36-4024403

 Tax I.D. No.

 Signature of Authorized Purchaser
 Village Manager

 Title

 Date

REVIEWED AND APPROVED
 AS TO FORM
 NOV 23 2011
 [Signature]
 LAW DEPARTMENT

PROXY

The undersigned hereby appoints the Board of Directors of Health Care Service Corporation, a Mutual Legal Reserve Company, or any successor thereof ("HCSC"), with full power of substitution, and such persons as the Board of Directors may designate by resolution, as the undersigned's proxy to act on behalf of the undersigned at all meetings of members of HCSC (and at all meetings of members of any successor of HCSC) and any adjournments thereof, with full power to vote on behalf of the undersigned on all matters that may come before any such meeting and any adjournment thereof. The annual meeting of members shall be held each year in the corporate headquarters on the last Tuesday of October at 12:30 p.m. Special meetings of members may be called pursuant to notice mailed to the member not less than thirty (30) nor more than sixty (60) days prior to such meetings. This proxy shall remain in effect until revoked in writing by the undersigned at least twenty (20) days prior to any meeting of members or by attending and voting in person at any annual or special meeting of members.

Group No.: P10156, By: _____
P10251
Print Signer's Name Here
→
Signature and Title

Group Name: Village of Oak Park
Address: 123 Madison Street
City: Oak Park State: IL Zip Code: 60302
Dated this _____ day of _____
Month Year

REVIEWED AND APPROVED
AS TO FORM

NOV 23 2011

LAW DEPARTMENT



BlueCross BlueShield
of Illinois



**EXHIBIT TO THE
STOP LOSS COVERAGE POLICY**

(ASO Accounts Only)

Employer Group Name: Village of Oak Park
Employer Group Address: 123 Madison Street
City: Oak Park **State of Situs:** IL **Zip Code:** 60302
Account Number: 010156
Employer Group Number(s): P10156, P10251
Effective Date of Policy: 01/01/2012
Policy Period: These specifications are for the Policy Period commencing on 01/01/2012 and ending on 12/31/2012

The specifications below shall become effective on the first day of the Policy Period specified above and shall continue in full force and effect until the earliest of the following dates: (1) The last day of the Policy Period; (2) The date the Policy terminates; or (3) The date this Exhibit is superseded in whole or in part by a later executed Exhibit.

A. Aggregate Stop Loss Insurance: Yes No
If yes, complete items 1. through 9. below.

1. New Coverage Renewal of Existing Coverage

2. Stop Loss Coverage Period:

New Coverage (Select one from below):

Standard: Claims incurred and paid during the Policy Period.

Standard with "Run-in" included: Claims incurred on or after _____ and paid during the Policy Period.

"Run-in" includes claims paid by Policyholder's prior claim administrator: Yes No

If yes, such claims must be reported by the Policyholder to the Company (Blue Cross and Blue Shield of Illinois, a Division of Health Care Service Corporation, a Mutual Legal Reserve Company) within 12 months of the Effective Date of Policy and paid by the Policyholder's prior claim administrator within 6 months after the Effective Date of Policy.

Renewal of Existing Coverage:

Claims incurred on or after the original Effective Date of Policy and paid during the Policy Period.

3. Aggregate Stop Loss Insurance shall apply to:

Medical Claims Vision Claims

Outpatient Prescription Drug Claims Dental Claims

A Division of Health Care Service Corporation, a Mutual Legal Reserve Company
an Independent Licensee of the Blue Cross and Blue Shield Association

- For Hospital Employer Groups only: *Excludes* _____% of Home Hospital Medical claims
- Other (please specify): _____
4. Average Claim Value: \$831.74 (per employee per month)
- Includes Claim Administrator's Provider Access Fee
 Excludes Claim Administrator's Provider Access Fee
- Attachment Factor: 135% of the Average Claim Value
5. Aggregate Attachment Claim Liability:
- Employer's Claim Liability for each Policy Period shall be the sum of the Monthly amounts obtained by multiplying the number of Individual and Family Coverage Units for each Month by the following factor:
- \$1,122.85 for each Coverage Unit
6. Aggregate Stop Loss Coverage includes coverage of Run-Off Paid Claims: Yes No
- Run-Off Attachment Claim Liability Factors:
- Employer's Run-Off Claim Liability shall be an amount equal to 15% of the annualized Employer Claim Liability based on the participation of the two calendar months immediately preceding termination. Settlement for the final accounting period will be described in the section of the Policy entitled SETTLEMENTS.
7. Aggregate Stop Loss Coverage:
- a. The amount of Paid Claims during the current Policy Period, less Individual (Specific) Stop Loss Claims, if any, that exceed the Point of Attachment. The Point of Attachment shall equal the sum of the Employer's Claim Liability amounts calculated Monthly as described in Item 5. above for the indicated Policy Period. However, for the indicated Policy Period the minimum Point of Attachment shall be \$4,862,844.
- b. The following applies if the answer to item 6. above is "Yes:" (Aggregate Stop Loss Coverage includes coverage of Run-Off Paid Claims):
In the event of termination at the end of a Policy Period, Aggregate Stop Loss Coverage shall equal the amount of Final Settlement Paid Claims that exceed the Final Settlement Point of Attachment. Final Settlement Paid Claims shall equal the sum of the Paid Claims during the Final Policy Period and the Paid Claims during the Run-Off Period, less Individual (Specific) Stop Loss Claims, if any. The Final Settlement Point of Attachment shall equal the sum of the Employer's Claim Liability amount for the Final Policy Period and the Employer's Run-Off Claim Liability calculated as described in items 5. and 6. above. However, for the Final Settlement Period the minimum Point of Attachment shall be the minimum Point of Attachment in item 7.a. above increased by 15%.
8. Premium (Select one):
- Annual Premium (Due on the first day of the Policy Period): \$17,870.
- The following applies if the answer to item 6. above is "Yes:" (Aggregate Stop Loss Coverage includes coverage of Run-Off Paid Claims): In the event of termination at the end of a Policy Period, an additional premium amount equal to 15% of the Annual Premium will be due within 10 calendar days of receipt of the billing.
- Monthly Premium shall be equal to the amounts obtained by multiplying the number of Individual and Family Coverage Units for a particular Month by:
- \$_____ for each Coverage Unit
- The following applies if the answer to item 6. above is "Yes:" (Aggregate Stop Loss Coverage includes coverage of Run-Off Paid Claims):
In the event of termination at the end of a Policy Period, an additional premium amount equal to 15% of the annualized Premium based on the participation of the two months immediately preceding termination will be due within 10 calendar days of receipt of the billing.
9. The premium is based upon a current membership of 158 Individual Coverage Units and 155 Family Coverage Units.

B. Individual (Specific) Stop Loss Insurance: Yes No

If yes, complete items 1. through 6. below.

1. New Coverage Renewal of Existing Coverage

2. Stop Loss Coverage Period:

New Coverage (Select one from below):

Standard: Claims incurred and paid during the Policy Period.

Standard with "Run-in" included: Claims incurred on or after _____ and paid during the Policy Period.

"Run-in" includes claims paid by Policyholder's prior claim administrator: Yes No

If yes, such claims must be reported by the Policyholder to the Company (Blue Cross and Blue Shield of Illinois, a Division of Health Care Service Corporation, a Mutual Legal Reserve Company) within 12 months of the Effective Date of Policy and paid by the Policyholder's prior claim administrator within 6 months after the Effective Date of Policy.

Renewal of Existing Coverage:

Claims incurred on or after the original Effective Date of Policy and paid during the Policy Period.

3. Individual (Specific) Stop Loss Insurance shall apply to:

Medical Claims Vision Claims

Outpatient Prescription Drug Claims Dental Claims

For Hospital Employer Groups only: Excludes _____% of Home Hospital Medical claims

Other (please specify): _____

4. Individual (Specific) Stop Loss Coverage

a. Individual Stop Loss Coverage equals the amount of Paid Claims for a Covered Person during the current Policy Period in excess of the Point of Attachment of \$125,000 per Covered Person. Such amount shall apply for the Policy Period.

Point of Attachment Includes Claim Administrator's Provider Access Fee

Excludes Claim Administrator's Provider Access Fee

b. Employer's Claim Liability equals the sum of Paid Claims for a Covered Person during the Policy Period up to the Point of Attachment specified in 4.a. above.

5. Individual Stop Loss Coverage includes coverage of Run-Off Paid Claims: Yes No

The following applies if the answer to item 5. above is "Yes" (Individual Stop Loss Coverage includes coverage of Run-Off Paid Claims):

a. In the event of termination at the end of the Policy Period, Individual Stop Loss Coverage shall equal the amount of Final Settlement Paid Claims that exceed the Point of Attachment specified in 4.a. above. Final Settlement Paid Claims shall equal the sum of Paid Claims for a Covered Person during the Final Policy Period and the Run-Off Period.

b. In the event of termination at the end of the Policy Period, Employer's Final Settlement Claim Liability equals the sum of Paid Claims for a Covered Person during the Final Policy Period and Run-Off Period up to the Point of Attachment specified in Item 4.a. above.

Settlement for the final accounting period will be described in the section of the Policy entitled SETTLEMENTS.

6. Premium (select one):

Annual Premium (Due on the first day of the Policy Period): \$_____.

The following applies if the answer to item B.5. is "Yes" (Individual Stop Loss Coverage includes coverage of Run-Off Paid Claims): In the event of termination at the end of a Policy Period, an additional premium amount equal to 20% of the Annual Premium will due within 10 calendar days of receipt of the billing.

Monthly Premium shall be equal to the amounts obtained by multiplying the number of Individual and Family Coverage Units for a particular Month by:

\$66.96 for each Coverage Unit

The following applies if the answer to item B.5. above is "Yes" (Individual Stop Loss Coverage includes coverage of Run-Off Paid Claims): In the event of termination at the end of a Policy Period, an additional premium amount equal to 20% of the annualized Premium based on the participation of the two months immediately preceding termination will be due within 10 calendar days of receipt of the billing.

7. The premium is based upon a current membership of 158 Individual Coverage Units and 155 Family Coverage Units.

Additional Provisions:

The undersigned person represents that he/she is authorized and responsible for purchasing stop loss coverage on behalf of the Employer Group. It is understood that the actual terms and conditions of coverage are those contained in this Exhibit and the Stop Loss Coverage Policy into which this Exhibit shall be incorporated at the time of acceptance by Blue Cross and Blue Shield of Illinois, a Division of Health Care Service Corporation, a Mutual Legal Reserve Company ("HCSC"). Upon acceptance, HCSC shall issue a Stop Loss Coverage Policy to the Employer Group. Upon acceptance of this Exhibit and issuance of the Stop Loss Coverage Policy, the Employer Group shall be referred to as the "Policyholder."

Judy Ott
Sales Representative

Signature of Authorized Purchaser

Rich Poltorak
Name of Underwriter

REVIEWED AND APPROVED
AS TO FORM

W. J. Manager
Title of Authorized Purchaser

NOV 23 2011
[Signature]
LAW DEPARTMENT

Date

INTERNAL USE ONLY	Date Application approved by Underwriting: Name of Underwriter:
-------------------	--



**BlueCross BlueShield
of Illinois**

**The HMOs of Blue Cross
and Blue Shield of Illinois**

Benefit Program Application ("BPA")

Employer Account Number: 010156
 HMO Illinois Employer Group Number(s): H10156
 HMO Illinois Section Number(s): see attached
 BlueAdvantage® HMO Employer Group Number(s): B10156
 BlueAdvantage HMO Section Number(s): see attached

Employer Name: Village of Oak Park
 (Specify the Employer, the employee trust or the association applying for coverage. Names of subsidiary or affiliated companies to be covered must also be included below. An employee benefit plan may not be named.)

Address: 123 Madison Street
 City: Oak Park State: IL Zip Code: 60302

Billing Address (if different from above): _____
 Employer Identification Number ("EIN"): 366006027
 City: _____ State: _____ Zip Code: _____

Subsidiaries: _____
 Affiliated Companies: _____

(If Affiliated Companies to be covered are listed above, a separate "Addendum to the Benefit Program Application Regarding Affiliated Companies" must be completed, signed by the Employer's authorized representative, and attached to this BPA.)

Administrative Contact: Mr. Frank Spataro Phone: 708-358-5852 Fax: _____ Email: spataro@oak-park.us

Blue Access for Employers (BAE) Contact: Mr. Frank Spataro
 (The BAE Contact is the employee of the account authorized by the Employer to access and maintain its account via BAE.)

Title: Human Resource Director Phone: 708-358-5852 Fax: _____ Email: spataro@oak-park.us

Policy Effective Date: 01/01/2012 Policy Anniversary Date: 01/01/2013
 ERISA Plan: Yes No If Yes, specify ERISA Plan Year: _____

ERISA Plan Administrator: _____
 ERISA Plan Administrator's Address: _____
 City: _____ State: _____ Zip Code: _____
 ERISA Plan Administrator's Email: _____

- Eligible Person means a person who resides in the Service Area of a Participating IPA and is:
 - A full-time employee of the Employer.
 - A member of (name of union or association): _____
 - Other (please specify): Retirees: Policemen and Firemen must be at least age 50 with 20 years of service. Regular full-time employees must be at least age 55 with 8 y ears of service.

2. Full-Time Employee means:

- A person who is regularly scheduled to work a minimum of 35 hours per week and is on the payroll of the Employer.
- Other (please specify): _____

3. Limiting Age for covered unmarried children is:

- twenty-six (26) years; thirty (30) years if eligible military personnel as described in the Certificate Booklet.
- _____ years; _____ years if eligible military personnel as described in the Certificate Booklet.

(The minimum allowable ages for this option are 26; 30 if eligible military personnel)

- _____ years if a full-time student.

(The minimum allowable ages for this option are 26; 30 if eligible military personnel)

Coverage will terminate at the end of the following period for which premium has been accepted:

- The month in which the Limiting Age is reached.
- The year in which the Limiting Age is reached.

However, coverage shall be extended due to a leave of absence in accordance with any applicable federal or state law.

4. Total number of employees: (indicate the total number of actual employees, not enrollees)
Of the Employer 800 Illinois employees 800 National employees 0

5. Eligibility Date for a person who becomes an Eligible Person after the Effective Date of the Employer's health care plan:

- The date of employment.
- The _____ day of employment.
- The _____ day of the month following _____ month(s) or _____ days of employment.
- The _____ day of the month following the date of employment.
- Other (please specify): If hired the 1st through the 15th of the month, the eligibility date is the first of the following month. If hired the 16th through the last day of the month, the eligibility date is the first of the month following 30 days.
- A full month's premium will be charged for the first month of coverage for those employees whose Coverage Dates fall between the first and fifteenth day of the Premium Period. No premium will be charged for the first month of coverage for those employees whose Coverage Dates fall between the sixteenth day and the end of the Premium Period.

6. Special Enrollment: An Eligible Person may apply for coverage, Family coverage or add dependents within thirty-one (31) days of a Special Enrollment event if he/she did not apply prior to his/her Eligibility Date or when eligible to do so. Such person's Coverage Date, Family Coverage Date, and/or dependent's Coverage Date will be the effective date of the Special Enrollment event or, in the event of Special Enrollment due to termination of previous coverage, the date of application for coverage.

Open Enrollment: Specify Open Enrollment Period: the month of December for a January 1st effective date.
An Eligible Person may apply for coverage, Family coverage or add dependents if he/she did not apply prior to his/her Eligibility Date or did not apply when eligible to do so, during the Employer's Open Enrollment Period. Such person's Coverage Date, Family Coverage Date, and/or dependent's Coverage Date will be a date mutually agreed to by Blue Cross and Blue Shield of Illinois, A Division of Health Care Service Corporation, A Mutual Legal Reserve Company ("HCSC") and the Employer. Such date shall be subsequent to the open enrollment period.

7. Effective Date of Termination for a person who ceases to meet the definition of an Eligible Person:

- The date such person ceases to meet the definition of Eligible Person.
 The last day of the calendar month in which such person ceases to meet the definition of an Eligible Person.
 Other (please specify): _____.

8. Extension of Benefits due to Temporary Layoff, Disability or Leave of Absence:

Temporary Layoff: 0 days; Disability: 365 days; Leave of Absence: 365 days

Other (please specify): _____

However, benefits shall be extended for the duration of an Eligible Person's leave in accordance with any applicable federal or state law.

9. Funding Arrangement: Premium Prospective (complete section 10.) Cost Plus (complete section 12.)

10. Employer Contribution:

- HMO Illinois: 88% of the Individual Coverage Premium, and 88% of the Family Coverage Premium.
 BlueAdvantage HMO: 88% of the Individual Coverage Premium, and 88% of the Family Coverage Premium.
 Other (please specify): _____.

11. Premium Period:

- The first day of each calendar month through the last day of each calendar month. (This option applies to all coverages if the Employer has BlueCare® Dental HMO Coverage.)
 The _____ day of each calendar month through the _____ day of the next calendar month. (This option is not available for any coverage if the Employer has BlueCare Dental HMO Coverage.)

Premium Rates: (Indicate "N/A" in any rate field that does not apply)		
Health Coverage		
1. Employee only	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a
2. Employee plus one dependent	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a
3. Employee plus two or more dependents	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a
4. Employee plus Spouse	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a
5. Employee plus Child(ren)	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a
6. Family	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a
Single Tier rate structure – complete item 1.		
Two Tier rate structure – complete items 1. and 6.		
Three Tier rate structure – complete items 1., 2., and 3.		

Four Tier rate structure – complete items 1., 4., 5., and 6.		
Medicare Eligible Rates (When HCSC is Secondary Payer)		
Single Coverage	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a
Family Coverage	HMO Illinois \$n/a	BlueAdvantage HMO \$n/a

12. Cost Plus Program:

a) Service Charges for Claim Payments:

HMO Illinois: _____% of Claim Payments; \$32.41 per Enrollee per month for health Claim Payments.

BlueAdvantage HMO: _____% of Claim Payments; \$32.41 per Enrollee per month for health Claim Payments.

b) Physician's Services Fees:

HMO Illinois: \$154.77 per month per single Enrollee; \$428.61 per month per Enrollee with one or more Dependents.

BlueAdvantage HMO: \$154.77 per month per single Enrollee; \$428.61 per month per Enrollee with one or more Dependents.

c) Transfer Payment Method:

Wire Transfer Draft Electronic Fund Transfer Other (please specify): _____

Tentative Final Settlement Period - Transfer payments required after termination for:

3 months 6 months 9 months 12 months Other (please specify): _____

d) Post Payment Method

e) Payment Period:

Daily Weekly Bi-Weekly Monthly Other (please specify): _____

f) Claim Settlement Period:

Monthly Quarterly Other (please specify) _____

g) Prescription Drug Rebate:

\$n/a per Enrollee per month is the guaranteed Prescription Drug Rebate savings reflected as a Prescription Drug Rebate credit.

The undersigned representative is authorized and responsible for purchasing insurance on behalf of the Employer, has provided the information requested in this Benefit Program Application ("BPA") and on behalf of the Employer offers to purchase the benefit program as outlined in the proposal document submitted to the Employer by the Sales Representative. The benefit program and funding arrangements are as outlined in this BPA. It is understood and agreed that the actual terms and conditions of the benefit program are those contained in the Policy. This BPA is subject to acceptance by Blue Cross and Blue Shield of Illinois, a Division of Health Care Service Corporation, A Mutual Legal Reserve Company ("HCSC"). Upon acceptance, HCSC shall issue a Policy to the Employer and this BPA shall be incorporated and made a part of the Policy. Upon acceptance of this BPA and issuance of the Policy, the Employer shall be referred to as the Policyholder. In the event of any conflict between the proposal document and the Policy, the provisions of the Policy shall prevail.

The undersigned representative acknowledges that any broker/producer is acting on behalf of the Employer for purposes of purchasing the Employer's insurance, and that if HCSC accepts this BPA and issues a Policy to the Employer, HCSC may pay the Employer's broker/producer a commission and/or other compensation in connection with the issuance of such Policy. The undersigned representative further acknowledges that if the Employer desires additional information regarding any commissions or other compensation paid to the broker/producer by HCSC in connection with the issuance of a Policy, the Employer should contact its broker/producer.

The undersigned representative hereby acknowledges that the Employee Retirement Income Security Act of 1974, as amended, ("ERISA"), establishes certain requirements for employee welfare benefit plans. As defined in Section 3 of ERISA, the term "employee welfare benefit plan" includes any plan, fund or program which is established or maintained by an employer or by an employee organization, or by both, to the extent that such plan, fund or program was established or is maintained for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or

otherwise, medical, surgical or hospital benefits, or benefits in the event of sickness, accident or disability. The undersigned representative further acknowledges that: (i) an employee welfare benefit plan must be established and maintained through a separate plan document which may include the terms hereof or incorporate the terms hereof by reference, and that (ii) an employee welfare benefit plan document may provide for the allocation and delegation of responsibilities thereunder. However, notwithstanding anything contained in the employee welfare benefit plan document of the Employer (or any group member if the group is an association), the Employer agrees that no allocation or delegation of any fiduciary or non-fiduciary responsibilities under the employee welfare benefit plan of the Employer (or any group member if the group is an association) is effective with respect to or accepted by HCSC except to the extent specifically provided and accepted in this BPA or the Policy or otherwise accepted in writing by HCSC.

OTHER PROVISIONS:

1. Certificate of Creditable Coverage: Yes No (The "yes/no" option is applicable to 100 plus only; A Certificate of Creditable Coverage is issued automatically under 100 lives.)

If yes: It is understood and agreed that HCSC will issue a Certificate of Creditable Coverage consistent with the requirements under the Health Insurance Portability and Accountability Act of 1996. The Certificate of Creditable Coverage shall be based upon coverage under the Plan during the term of the Policy and information provided to HCSC by the Employer.

If no: The Certificate of Creditable Coverage Release and Indemnification letter is attached to this BPA and made part of the Policy.

2. Reimbursement Provision: It is understood and agreed that in the event HCSC makes a recovery on a third-party liability claim, HCSC will deduct 25% of the net recovery from the amount credited to the Employer's experience, after attorneys' fees, if any, have been paid.

3. Domestic Partner Coverage: Yes No

If yes, a Domestic Partner, as defined in the Policy, shall be considered eligible for coverage. The Policyholder is responsible for providing notice of possible tax implications to those Enrollees with Domestic Partners.

Domestic Partner Coverage Continuation: (only available if Domestic Partners are covered) Yes No

4. Excess Loss Coverage purchased: Yes No

If yes: Complete separate Application for Excess Loss Coverage.

ADDITIONAL PROVISIONS:

- A. **Grandfathered Health Plans:** Policyholder shall provide HCSC with written notice prior to renewal (and during the plan year, at least 60 days advance written notice) of any changes in its Contribution Rate Based on Cost of Coverage or Contribution Rate Based on a Formula towards the cost of any tier of coverage for any class of Similarly Situated Individuals as such terms are described in applicable regulations. Any such changes (or failure to provide timely notice thereof) can result in retroactive and/or prospective changes by HCSC to the terms and conditions of coverage. In no event shall HCSC be responsible for any legal, tax or other ramifications related to any benefit package of any group health insurance coverage (each hereafter a "plan") qualifying as a "grandfathered health plan" under the Affordable Care Act and applicable regulations or any representation regarding any plan's past, present and future grandfathered status. The grandfathered health plan form ("Form"), if any, shall be incorporated by reference and part of the BPA and Group Policy, and Policyholder represents and warrants that such Form is true, complete and accurate. If Policyholder fails to timely provide HCSC with any requested grandfathered health plan information, HCSC may make retroactive and/or prospective changes to the terms and conditions of coverage, including changes for compliance with state or federal laws or regulations or interpretations thereof.
- B. **Retiree Only Plans and/or Excepted Benefits:** If the BPA includes any retiree only plans and/or excepted benefits, then Policyholder represents and warrants that one or more such plans is not subject to some or all of the provisions of Part A (Individual and Group Market Reforms) of Title XXVII of the Public Health Service Act (and/or related provisions in the Internal Revenue Code and Employee Retirement Income Security Act) (an "exempt plan status"). Any determination that a plan does not have exempt plan status can result in retroactive and/or prospective changes by HCSC to the terms and conditions of coverage. In no event shall HCSC be responsible for any legal, tax or other

ramifications related to any plan's exempt plan status or any representation regarding any plan's past, present and future exempt plan status.

- C. Policyholder shall indemnify and hold harmless HCSC and its directors, officers and employees against any and all loss, liability, damages, fines, penalties, taxes, expenses (including attorneys' fees and costs) or other costs or obligations resulting from or arising out of any claims, lawsuits, demands, governmental inquiries or actions, settlements or judgments brought or asserted against HCSC in connection with (a) any plan's grandfathered health plan status, (b) any plan's exempt plan status, (c) any directions, actions and interpretations of the Policyholder, and/or (d) any provision of inaccurate information. Changes in state or federal law or regulations or interpretations thereof may change the terms and conditions of coverage.

The provisions of paragraphs A-C (directly above) shall be in addition to (and do not take the place of) the other terms and conditions of coverage and/or administrative services between the parties.

Renewals Only: If this BPA is blank, it is intentional and this BPA is an addendum to the existing BPA. In such case, all terms of the existing BPA as amended from time to time shall remain in force and effect. However, beginning with the Policyholder's first renewal date on or after September 23, 2010, the provisions of paragraphs A-C (above) shall be part of (and be in addition to) the terms of the existing BPA as amended from time to time.

Any reference in this Benefit Program Application to eligible dependents may include Domestic Partners, but will include dependent covered children under the Limiting Age of twenty-six (26).

Any reference in this Benefit Program Application to the Limiting Age for covered children means twenty-six (26) years, regardless of presence or absence of a child's financial dependency, residency, student status, employment, marital status or any combination of those factors. If the covered child is eligible military personnel, the Limiting Age is thirty (30) years.

Any reference in this Benefit Program Application to the "Employee plus one dependent" rate structure means "Employee plus one spouse or one child."

Any reference in this Benefit Program Application to the "Employee plus Child(ren)" rate structure means "Employee plus one or more children."

REVIEWED AND APPROVED AS TO FORM

Effective 01/01/2012, renewal with rate changes - no benefit changes.

NOV 23 2011

HMO MANAGED CARE FEE - \$7.20 PER ENROLLEE PER MONTH FOR HMO ILLINOIS AND BLUE ADVANTAGE HMO.

LAW DEPARTMENT

Judy Ott
Sales Representative
890 630-824-5602
District Phone No.
Mr. Jim Cornelius
Producer Representative
Corporate Benefit Consultants, Inc.
Producer Firm
2800 South River Road, Suite 130
Des Plaines, IL 60018
Producer Address
36-4024403
Producer Tax ID No.

Signature of Authorized Purchaser
Village Manager
Title
Date
Witness
\$ _____ Amount Submitted (not required for renewals)

INTERNAL	UNDERWRITING AUTHORIZATION
	Date BPA approved by Underwriting: _____

USE
ONLY

Printed Name and Signature of Underwriter



BlueCross BlueShield
of Illinois



**APPLICATION FOR EXCESS LOSS COVERAGE
(HMO Cost-Plus Accounts Only)**

Customer Number: 010156
Employer Group Name: Village of Oak Park
Employer Group Address: 123 Madison Street
Oak Park IL 60302
Employer Group Number(s): H10156, B10156
Effective Date of Policy: 01/01/2012

Is this a Unified group (HMO Excess Loss Coverage and Indemnity Excess Loss Coverage)?

Yes No

If yes, complete separate HMO and Indemnity Excess Loss Coverage Applications.

Aggregate Excess Loss Coverage: Yes No

If yes, complete items 1 through 8 below.

1. Excess Loss Coverage Period:

From 01/01/2012 to 01/01/2013

2. Aggregate Excess Loss Coverage shall apply to:

HMO Claims (not including fixed amounts paid to Participating IPAs)

3. Average Claim Value: \$4,451.40 (per employee).

4. Attachment Point: 135% of the Average Claim Value.

5. Aggregate Excess Loss Limit Claim Value: \$6,009.48
(equals the Average Claim Value multiplied by the Attachment Point)

6. Aggregate Excess Loss Coverage Limit:

The Aggregate Excess Loss Coverage Limit shall equal the average number of employees during the Excess Loss Coverage Period multiplied by the Aggregate Excess Loss Limit Claim Value. In no event shall the Aggregate Excess Loss Coverage Limit be less than \$1,065,478, as specified in Section III of the Policy.

7. Excess Loss Premium

Monthly: \$ _____ each month

Annual (Due on the Effective Date of Policy): \$8,581

8. The premium is based upon a current membership of 79 Individual Coverage Units and 118 Family Coverage Units.

A Division of Health Care Service Corporation, a Mutual Legal Reserve Company,
an Independent Licensee of the Blue Cross and Blue Shield Association

Individual Excess Loss Coverage:

Yes No

If yes, complete items 1 through 5 below.

1. Excess Loss Coverage Period:

From 01/01/2012 to 01/01/2013

2. Individual Excess Loss Coverage shall apply to:

HMO Claims (not including fixed amounts paid to Participating IPAs)

3. Individual Excess Loss Coverage Limit: \$125,000 per Covered Person during the Excess Loss Coverage Period

4. Excess Loss Premium (select one):

Monthly: \$ _____ each month or \$29.79 per Enrollee each month

Annual (Due on the Effective Date of Policy): \$ _____

5. The premium is based upon a current membership of 79 Individual Coverage Units and 118 Family Coverage Units.

Additional Provisions:

The undersigned person represents that he/she is authorized and responsible for purchasing excess loss coverage on behalf of the Employer Group. It is understood that the actual terms and conditions of coverage are those contained in this Application and the Excess Loss Coverage Policy into which this Application for Excess Loss Coverage shall be incorporated at the time of acceptance by Blue Cross and Blue Shield of Illinois, a Division of Health Care Service Corporation, a Mutual Legal Reserve Company (HCSC). Upon acceptance, HCSC shall issue an Excess Loss Coverage Policy to the Employer Group. Upon acceptance of this Application and issuance of the Excess Loss Coverage Policy, the Employer Group shall be referred to as "The Policyholder."

Judy Ott

Sales Representative

Rich Poltorak

Printed Name of Underwriter

Signature of Underwriter

Signature of Authorized Purchaser

Village Manager

Title of Authorized Purchaser

Date

REVIEWED AND APPROVED
AS TO FORM

NOV 23 2011
Village Manager
LAW DEPARTMENT

Exhibit B

HEALTH PLAN	COVERAGE	MONTHLY PREMIUM	Village-Paid Portion	% of Premium Paid by VOP	Employee-Paid Portion	% of Premium Paid by the Employee
Preferred Provider Option (PPO)	SINGLE	\$649.10	\$536.04	82.58%	\$113.06	17.42%
	SINGLE +	\$1,259.30	\$1,055.08	83.78%	\$204.22	16.22%
	FAMILY	\$1,813.54	\$1,540.06	84.92%	\$273.48	15.08%
Averages				83.76%		16.24%
Preferred Provider Option (PPO) Legacy Plan	SINGLE	\$568.88	\$469.18	82.48%	\$99.70	17.52%
	SINGLE +	\$1,096.40	\$916.52	83.59%	\$179.88	16.41%
	FAMILY	\$1,577.76	\$1,340.72	84.98%	\$237.06	15.02%
Averages				83.68%		16.32%
Health Maintenance Option (HMO) Illinois	SINGLE	\$554.28	\$491.08	88.60%	\$63.20	11.40%
	SINGLE +	\$1,081.80	\$940.80	86.97%	\$141.00	13.03%
	FAMILY	\$1,558.32	\$1,372.34	88.06%	\$185.98	11.94%
Averages				87.88%		12.12%
Health Maintenance Option (HMO) Blue Advantage	SINGLE	\$505.66	\$447.32	88.46%	\$58.34	11.54%
	SINGLE +	\$982.14	\$854.50	87.00%	\$127.64	13.00%
	FAMILY	\$1,414.88	\$1,244.70	87.97%	\$170.18	12.03%
Averages				87.81%		12.19%