

**APPROVED MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, OCTOBER 3RD, 2011 AT 7:00 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, Johnson, Lueck, Salzman and Tucker; President Pope
ABSENT: None

**III. ADJOURN TO EXECUTIVE SESSION TO DISCUSS SALE OF PROPERTY,
LABOR AND LITIGATION**

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

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The motion was approved.

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

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

The Regular Meeting reconvened at 7:31 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 September 19, 2011 be approved. A voice vote was taken and the minutes were approved as presented. Trustee Brewer abstained.

VII. NON-AGENDA PUBLIC COMMENT

There was no public comment.

VIII. AWARDS, COMMENDATIONS, PRESENTATIONS, PROCLAMATIONS AND RESOLUTIONS

There were no awards, commendations, presentations, proclamations or resolutions.

IX. VILLAGE MANAGER REPORTS

Village Manager Tom Barwin reported that streetscape and infrastructure improvements continue on Roosevelt Road. Concrete work is close to completion in the last section on the Oak Park side between Ridgeland and Austin. The Village remains hopeful that this will be completed by Thanksgiving, the end of construction season. Water and sewer improvements continue. Water mains have been installed on 1200 N. Lombard and work on street resurfacing is basically complete. Planning continues for the streetscape project on Madison Street; initial presentation to the Board is being scheduled. Work continues on South Marion; underground improvements have been completed and visible top improvements are becoming apparent. The curbs are currently being installed and reconstruction of North Boulevard is underway. Work on the Bus Shelter Grant project is almost complete. The agreement with Pace has been approved and will allow for the installation of new shelters at eleven locations. Contracts for sewer televising and street signage are being bid and will be brought to the Board for approval in November. The first phase of tree planting is scheduled to begin this week, with an additional planting phase taking place at the end of November.

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

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

XII. PUBLIC HEARING**A. Public Hearing Regarding Licensing of American Taxi Dispatch, Inc. to Provide Taxi Service in the Village of Oak Park**

Jim Bennett, Blue Cab, 7417 Roosevelt, Forest Park, IL. Mr. Bennett stated that the licensing of additional cabs in Oak Park is unnecessary and counterproductive.

Amer Gamal, Red Cab, 854 Kenilworth Ave. Mr. Gamal agreed with Mr. Bennett, and added that parking for cabs is already limited and will only worsen.

John J. Kleeman, of American Taxi Dispatch, Inc., spoke about his firm, noting that they have 800 independently owned cabs and 1,100 drivers. American Taxi has been in business since 1975 and serves 245 suburban communities.

Mr. Kleeman is looking to license approximately eight or ten cabs in Oak Park. He stated that this year, his company has brought 1,884 fares from O'Hare and Midway, as well as other towns, into Oak Park and has picked up 2,152 fares from Oak Park. He noted that the public should be allowed to choose their taxi service and wanted to legitimize his business in the Village.

Trustee Johnson expressed interest in learning how Forest Park handles these dynamics and other issues such as parking, as there are 20 licensed cab companies operating in that community. He also requested the average age and mileage on the vehicles from all three companies.

There was a discussion regarding the taxi ordinance, business licensing, and rates.

XIII. FIRST READING

B. Ordinance Amending Chapter 3 of the Village Code Entitled "Alcoholic Liquor Dealers"

Mr. Barwin stated that the items under consideration were reviewed by the Board on September 6. The Board asked that they be drafted into an ordinance for a First Reading.

Trustee Salzman asked for an explanation of the definition of artisanal distilled liquor. Trustee Johnson gave an example, referring to a distillery in Michigan. This was equivalent to a microbrewery, but for liquor.

Trustee Brewer asked what type of food would be available as a late night menu. Village Clerk Powell said that it is defined in the ordinance as "including but not limited to grilled items, soups, appetizers and sandwiches". Trustee Brewer expressed concern over the language "including but not limited to" and President Pope added that this implies that they must serve grilled items, soups, etc., whether they normally offer these items on their menu or not. Acting Village Attorney Simone Boutet agreed that this language could be clarified.

Trustee Lueck pointed out that the rationale for this particular amendment was to allow kitchen staff to be dismissed before closing and should be more in line with food that is served cold or could be heated by wait staff. Grilled items would require kitchen staff and should be removed.

Village Clerk Powell discussed the amendment regarding bed and breakfasts facilities. She stated that other food-related changes were necessary for allowing service of anything other than breakfast that were beyond the scope of the Liquor Control

Review Board. There were some Health Department concerns that should be addressed as well.

D. Ordinance Amending Chapter 23A, Article 1 Amending the Real-Estate Transfer Tax Ordinance

Ms. Boutet explained that this amendment will assist the Village with collections of liens without having to go to court by allowing the Village to withhold issuance of transfer tax stamps until any liens for the Village have been paid off.

C. Ordinance Amending Chapter 24, Article 2 of the Village Code to Require that Taxicab Drivers Pay the Cost of Fingerprinting when Applying for a Chauffeur License

Village Clerk Powell stated that this would allow the Village to recoup the cost of expanded background checks required to issue licenses to cab drivers. The Village has been absorbing part of this cost since the Board approved running expanded background checks earlier this year that include information from the State and FBI. She added that this process would not have to be repeated every year. Once completed, the Police Department will receive notice of any future criminal or driving violations.

XIV. REGULAR AGENDA

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

F. Ordinances Providing for Bonds Related to the South Marion Street Streetscape Project

Chief Financial Officer Craig Lesner stated that during the discussion of the South Marion Street project, it was decided that the Village would be issuing debt for the project, which will be paid over the life of the TIF. This was issued as a General Obligation Bond in order to get preferred market pricing. He added that they also looked for opportunities that would be advantageous to the Village for refinancing other items.

Raphaliata McKenzie, of Speer Financial, explained the bidding process for the Bonds. The 2011 Series A is the new money portion for capital infrastructure improvements in the Downtown TIF area and the 2011 Series B refinances the current 2004 General Obligation to provide for new money on behalf of the Water Fund for infrastructure improvements as part of the South Marion Street project. This lower interest rate results in a savings of approximately \$450,000 on a growth value or \$374,000 on a present value.

Trustee Johnson asked why the ratings applied by Moody's and Standard & Poor's are dissimilar. Mr. Lesner stated that they look at the same criteria; Moody's tends to

be more number driven, creating a different analysis. Trustee Johnson also stated that Moody's indicates what points could make the Village's rating go up as well as what could make it go down, noting this was important information as the budget process approaches.

Trustee Lueck noted that S & P's report states that the Village's fiscal practices are good but not all might be formalized or monitored by government officials. She asked what would improve monitoring of financial practices. Mr. Lesner replied that this focuses on official fund balance policies; the Village does not have an official debt capacity but is not deficient in this area and has good management practices overall.

Trustee Lueck asked if there was a strategy in place to pay back the approximately \$7 million to the Marion Street TIF by its expiration date of 2018, as the Board will be looking at other TIF projects that may incur borrowing as well. Mr. Lesner said that when presented with another opportunity, as with a developer or whatever the case may be, he will be putting before the Board what the projected TIF capacities will be.

President Pope referred to Trustee Lueck's concern regarding fiscal practices and noted that a formal fund balance policy has been under discussion with the Finance Subcommittee of the Board. While this policy has not yet been adopted, the fund balance has been moving in a positive direction. This will be reflected in the rating agencies' positive disposition to the Village's current capacity to repay debts.

President Pope asked Mr. Lesner if, in light of these rates, it would it make sense for the Village to consider refunding any other bonds currently out. Mr. Lesner said that if the Village is looking to issue new debt, it is something that can be considered at the time. He added that bonds that are refinanced generally stay the same regarding the maturation date with no extension to debt.

1. It was moved and seconded that Ordinance 2011-0-56 entitled **ORDINANCE PROVIDING FOR THE ISSUE OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2011A FOR THE PURPOSE OF PROVIDING FOR CERTAIN PUBLIC IMPROVEMENTS TO GREATER DOWNTOWN TIF DISTRICT OF THE VILLAGE** be adopted.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The ordinance was adopted.

2. It was moved and seconded that Ordinance 2011-0-57 entitled **ORDINANCE PROVIDING FOR THE ISSUE OF GENERAL OBLIGATION CORPORATE PURPOSE PROJECT AND REFUNDING BONDS, SERIES 2011B FOR THE PURPOSE OF PROVIDING FOR IMPROVEMENTS TO THE WATER SYSTEM OF THE VILLAGE AND TO REFUND CERTAIN OUTSTANDING BONDS OF THE VILLAGE** be adopted.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The ordinance was adopted.

- R. It was moved and seconded that a **Motion Authorizing the Release of Amendment to the 2011 Action Plan for a 30-day Public Comment Period** be approved and that Resolution 2011-R-158 entitled **RESOLUTION APPROVING THE 2011 ACTION PLAN SOUTH MARION STREET IMPROVEMENTS SUBMITTAL OF THE AMENDMENT TO HUD AT THE COMPLETION OF THE COMMENT PERIOD** be adopted.

Mr. Barwin explained that there are unspent funds in the Community Development Block Grant Funds, which can be repurposed. It is staff's recommendation to spend approximately \$100,000 for additional lighting and sidewalk repair work in conjunction with the major re-do of Mills Park that is underway through the Park District.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The motion was approved and the resolution was adopted.

- S. It was moved and seconded that Resolution 2011-R-159 entitled **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 \$23,800 AND WAIVING THE BID PROCESS** be adopted.

Mr. Barwin stated that this item is associated with finalizing the repairs at the Holley Court Garage.

Trustee Johnson noted that incremental requests for increases to this agreement continue to be presented to the Board and asked if there was a better approach to doing this. He asked what the rationale was and for some history on the project.

Parking Services Manager Cara Pavlicek explained that last fall, some cracking was identified on one column and beam on the fifth level of the garage. She stated that staff would have requested 400 hours from the beginning but did not know the damage was something that impacted the entire west expansion.

After the initial inspection by Wiss, Janney, Elstner Associates, the Village was told that this cracking of concrete was serious and needed to be investigated in a non-destructive manner. They completed a series of very detailed investigative tests and structural engineering calculations. The Village was told that 10% of the structure could not be utilized and has not been since January 2011.

In February 2011 the structural consulting engineer presented the Village with a comprehensive report stating what was wrong on all six levels of the west expansion. After several discussions, Whiteco, who originally constructed the expansion, began work with their own engineers at their own expense on how to make the repairs to the garage. The structural engineer will be double checking that work and reviewing the structural calculations and materials to ensure what they want to do will be sufficient.

Once into the construction phase, there will be one more request to cover the cost of an owner's representative who is an expert in the field of engineering to monitor the contractors for Whiteco as they install these repairs.

President Pope added that Whiteco is aware that the Village expects to be reimbursed for the costs they've incurred regarding the evaluation, analysis and development of recommendations as to what needs to be done to be able to preserve and ensure the safety of the structure.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The resolution was adopted.

E. Presentation of the Proposed 2012 Budget.

President Pope indicated that this is an overview of what's being presented in the budget. The document itself has been formally provided to the Board as well as being available on line and at Village Hall. This is the beginning of the Board's consideration of the budget; there will be a number of future sessions, including a public hearing.

Mr. Lesner announced the scheduled meeting dates. He noted that a Truth in Taxation Public Hearing will be held as well. He stated that the property tax levy will decrease by 0.24%. Some short term savings will occur due to the change in State law regarding police and fire pensions, as the actuarial date that they need to be funded by moves out a number of days. The debt service levy will increase due to fluctuation in interest rates.

Mr. Lesner noted that staff is not recommending any major tax or fee increases to support operations. Instead the budget calls for \$400,000 of the General Fund's current unreserved fund balance of \$4.8 million to be utilized in lieu of any particular revenue increases. Staff recommends a 2.5% increase in water and sewer rates. He noted that if Chicago increases their rates, this will need to be addressed even outside of the budget process. The Environmental Services Fund will increase 12% to accommodate the increased waste hauler contract.

Mr. Lesner stated that some positions that have been vacant for a number of years will be eliminated. Instead, some positions will be moved from one department to another to focus on what needs to be done and how.

In closing, Mr. Lesner urged residents to submit their comments and ideas regarding this year's budget on line.

XV. CONSENT AGENDA

G. Resolution 2011-R-160 entitled RESOLUTION AUTHORIZING AN AGREEMENT WITH G.A. PAVING CONSTRUCTION CO. INC., FOR SNOW PLOWING AND SALTING OF VILLAGE

LEASED/OWNED PARKING LOTS FOR A ONE-YEAR PERIOD NOT TO EXCEED \$145,000 WITH TWO (2) OPTIONAL EXTENSION YEARS

- I. Ordinance 2011-O-58 entitled **ORDINANCE AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT FOR THE INSTALLATION OF AN AT&T WIRELESS ROOFTOP FACILITY AT 714LAKE STREET**
- J. **Motion to Accept the Zoning Board of Appeals' Findings and Recommendations as Proposed** and Ordinance 2011-O-59 entitled **ORDINANCE AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT TO OPERATE A DAY-CARE CENTER AT 149-155 S. OAK PARK AVENUE**
- K. Ordinance 2011-O-60 entitled **ORDINANCE AUTHORIZING AMENDMENT OF SECTION 7-9-8F OF THE VILLAGE CODE DESIGNATING 217 SOUTH HUMPHREY AVENUE AS AN OAK PARK HISTORIC LANDMARK AS REVIEWED AT THE SEPTEMBER 19, 2011 VILLAGE BOARD MEETING**
- L. Resolution 2011-R-161 entitled **RESOLUTION AUTHORIZING THE TRANSFER OF PRIVATE ACTIVITY VOLUME BOND CAP TO THE UPPER ILLINOIS RIVER VALLEY DEVELOPMENT AUTHORITY TO USE TO SUPPORT PROJECTS IN ILLINOIS THAT WILL PROVIDE JOB OPPORTUNITIES AND NEW INVESTMENTS**
- M. Resolution 2011-R-162 entitled **RESOLUTION AUTHORIZING A SMALL RENTAL PROPERTIES REHABILITATION LOAN AND ENERGY EFFICIENCY LOAN: SRP-004**
- N. Resolution 2011-R-163 entitled **RESOLUTION AUTHORIZING EXECUTION OF A RIGHT OF ENTRY AGREEMENT FOR BRIDGE PAINTING AT MARION STREET AND RIDGELAND AVENUE VIADUCTS**
- O. Resolution 2011-R-164 entitled **RESOLUTION AUTHORIZING THE PLACEMENT OF BRICK PAVERS IN THE VILLAGE RIGHT-OF-WAY AT 312 SOUTH SCOVILLE AVENUE**
- P. Ordinance 2011-O-61 entitled **ORDINANCE AMENDING CHAPTER 3, ARTICLE 8 OF THE CODE OF THE VILLAGE OF OAK PARK - CREATION OF A LIVE THEATRE PERFORMANCE VENUE CLASS D-11 LIQUOR LICENSE FOR OPEN DOOR REPERTORY COMPANY**
- Q. Ordinance 2011-O-62 entitled **ORDINANCE AMENDING CHAPTER 3, ARTICLE 8 OF THE CODE OF THE VILLAGE OF OAK PARK - CREATION OF A LIVE THEATRE PERFORMANCE VENUE CLASS D-11 LIQUOR LICENSE FOR OPRF CIVIC THEATRE DBA MADISON STREET THEATRE**
- T. Resolution 2011-R-165 entitled **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR AN EMPLOYEE LEASE AGREEMENT WITH GOVTEMPS**
- U. Ordinance 2011-O-63 entitled **ORDINANCE AMENDING CHAPTER 7, ARTICLE 7 OF THE VILLAGE CODE ENTITLED "SIGNS" AS REVIEWED AT THE SEPTEMBER 6, 2011 VILLAGE BOARD MEETING**

APPROVE THE CONSENT AGENDA

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

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The Consent Agenda was approved.

XVI. Approval of Bills

It was moved and seconded to approve the bills.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The motion was approved.

CALL TO THE BOARD AND CLERK

Village Clerk Powell discussed her participation in the Green Connections Tour. She also recognized the passing of Universal Access Commissioner Joel Sheffel.

Trustee Lueck urged residents to attend the Oak Park Regional Housing Center's benefit scheduled for Thursday, October 6.

Trustee Brewer mentioned the Historic Preservation Awards on Tuesday, October 4.

Trustee Salzman spoke about the Intergovernmental Subcommittee's plans to hold an open forum for the various Oak Park taxing bodies. Tentatively, the meeting will be held in early December. Trustee Salzman also gave tribute to Mr. Sheffel and his work regarding issues faced by people with disabilities.

Trustee Johnson acknowledged the passing of Mr. Sheffel, as well as the passings of community activist Jim Boushay and Susan Anderson, President of Visit Oak Park. He spoke about a film series sponsored by the Oak Park Chapter of the Parents and Friends of Lesbians and Gays and gave a synopsis of each film. This will be running every Sunday in October and all are encouraged to attend.

Mr. Barwin announced that the first quarterly Citizen Informational Meeting will be held on Monday, October 10 on the subject of public safety in Oak Park. He also thanked the Finance Committee for their work. Mr. Barwin noted that he will be contacting the trustees regarding the retreat to discuss the I-290 issues.

President Pope stated that it was suggested that the Board arrange for a walk down Roosevelt Road, as well as South Marion, to see what progress has been made. He also spoke about the forum on public safety scheduled for October 10 and urged residents to attend. He announced that the Green Town Conference will be held at Unity Temple on Wednesday, October 12. President Pope also acknowledged the passing of Jim Boushay and expressed sympathy to his family.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 9:34 P.M. Monday, October 3, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk