

**APPROVED MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, OCTOBER 17TH, 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

In compliance with the Open Meetings Act, it was moved and seconded to adjourn to Executive Session to discuss the sale of property 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 7:38 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 Special Meeting of September 26, 2011, the Regular Meeting of October 3, 2011 and the Special Meeting of October 10, 2011 be approved. A voice vote was taken and the minutes were approved as presented.

VII. NON-AGENDA PUBLIC COMMENT

Elaine Brooks, 1700 Riverwoods Dr., Melrose Park. Ms. Brooks works as a nurse at Mills Park Tower and expressed concern regarding the lack of accessible parking spots available at that location.

VIII. RESOLUTION – HALLOWEEN “TRICK OR TREAT” HOURS MONDAY, OCTOBER 31, 2011

President Pope read the Resolution aloud. It was moved and seconded that the Resolution entitled **HALLOWEEN “TRICK OR TREAT” HOURS MONDAY, OCTOBER 31, 2011**, be adopted. A voice vote was taken and the Resolution was adopted.

IX. RESOLUTION – RESOLUTION IN SUPPORT OF SMART GRID

President Pope read the Resolution aloud. It was moved and seconded that the Resolution entitled **RESOLUTION IN SUPPORT OF SMART GRID** be adopted. An amendment was offered to add language to the end of the resolution. The amendment was accepted, a voice vote was taken and the Resolution was adopted.

X. VILLAGE MANAGER REPORTS

Village Manager Tom Barwin welcomed Boy Scout Troop 20 from Ascension Parish, who were in attendance to work towards their Citizenship in the Community merit badge. Mr. Barwin stated that the end of construction season was nearing. Work is winding down on Roosevelt as well as on Marion Street, and should be completed by or before Thanksgiving. He noted that leaf collection has begun and will continue through autumn. He announced that there are Board Meetings scheduled for October 19 and October 20 and provided topics to be discussed.

XI. CITIZEN COMMISSION VACANCIES

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

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

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

Building Codes Advisory Commission

Appointment of Donald Maynard, as Member, with a term to expire October 17, 2014

Civic Information Systems Commission

Appointment of Victoria Boylan, as Member, with a term to expire October 17, 2012

Appointment of Anne Mesch, as Member, with a term to expire October 17, 2012

Universal Access Commission

Appointment of Carol Southern, as Member, with a term to expire October 17, 2014

A voice vote was taken and the motion was approved.

President Pope announced that two Chair candidates are scheduled for appointment at the next Regular Board Meeting.

XIII. FIRST READING**A. First 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**

Parking Services Manager Cara Pavlicek stated that as part of the annual budget process, a review is done of both the expenses associated with operating the parking system and the rates charged. The proposed rate increase would include changing the hourly garage parking rates from \$1 to \$2 after the first free hour through 2 ½ hours and an increase to quarterly parking permits for lots, garages, and on-street overnight permits, as well as an increase in cost for permits at the Avenue and Holley Court garages.

Trustee Johnson asked for a detailed overview of the increases in garage and surface lot parking rates. He added that after the significant increase in on-street parking rates last year he wanted to see the percentages and dollars proposed for the quarterly parking permit increase. He also noted some metered spaces will be priced at the same rate as garage spaces for longer term parking (three hours and more), which does not encourage use of the garage for this type of parking.

Trustee Hedges asked for long term projections regarding rate increases.

Mr. Barwin commented that when parking reconstruction began three or four years ago, the Parking Fund was in a \$10 million deficit position. This has since been reduced to \$3.3 million. If these recommendations are passed, the \$350,000 in additional revenues will further reduce that deficit. He added that the auditors have recommended that the Village continue to move toward elimination of the deficit, as it negatively affects the Village's bond rating.

Trustee Johnson proposed investigation of automated signage in the garages displaying current available parking spaces.

Pat Zubak, Executive Director, Downtown Oak Park, 324 Wisconsin. Ms. Zubak asked that the Board consider deferring any rate increases until redevelopment of the existing parking is complete.

XIV. SECOND READING

- C. **Second Reading of An Ordinance Amending Chapter 23A, Article 1 Amending the Real-Estate Transfer Tax Ordinance**

There were no comments.

- D. **Second Reading of An Ordinance Amending Chapter 8, Article 2 and Chapter 24, Article 2 of the Village Code to Require an Application Fee for a Chauffeur License to Cover the Cost of Fingerprinting**

There were no comments.

XV. REGULAR AGENDA

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

- F. It was moved and seconded that Ordinance 2011-0-64 entitled **ORDINANCE AMENDING CHAPTER 23A, ARTICLE 1 AMENDING THE REAL-ESTATE TRANSFER TAX ORDINANCE** 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.

- G. It was moved and seconded that Ordinance 2011-0-65 entitled **ORDINANCE AMENDING CHAPTER 8, ARTICLE 2 AND CHAPTER 24, ARTICLE 2 OF THE VILLAGE CODE TO REQUIRE AN APPLICATION FEE FOR A CHAUFFEUR LICENSE TO COVER THE COST OF FINGERPRINTING** 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.

- H. It was moved and seconded that a **Resolution Approving a Two-Year Contract to Provide Electric Supply Pursuant to the Village of Oak Park Community Choice Aggregation Program** be adopted and **Appoint Advisors for the Renewable Energy Advisory Committee** be approved.

Mr. Barwin spoke about electricity deregulation and the aggregation process. The main goal of Oak Park's sustainability plan in terms of energy is to increase energy efficiency in buildings, with a total energy reduction of 10% within 10 years. The second goal of the plan is to increase renewable energy procurement for use in buildings and homes an average of 2.5 % per year, for a total of 25% over 10 years. He thanked all who were involved in this project.

Sustainability Manager K.C. Poulos summarized the history of the aggregation program. She explained that residents receive two charges on their electricity bill; one for the energy supply and one for the transmission. Aggregation programs are designed to lower the supply rate as well as allowing staff members and energy consultants to conduct due diligence for companies that respond to the Village's RFP. The Village asked for a best rate and also a 100% renewable energy credit (REC) rate. The rates for those responses were so close that the Energy Committee recommended that the aggregation rate selected be the 100% renewable electricity rate.

The RFP was sent to all 13 alternate retail electric suppliers who are certified to serve residential customers in Illinois. Of the five responses, three met the requirements in the RFP.

Craig Shuttenberg of Energy Choices explained how bids were compared and the categories rated (rates, carbon neutral energy mix, best response to the RFP and best presentation during interviews). He reviewed the sources of energy reported by finalists and explained the REC system.

Trustee Lueck noted that the public should know that the Village is paying for green energy by purchasing renewable energy credits, contributing this energy to the grid. President Pope explained that the grid pools all energy sources and distributes this energy to users. As the Village goes out to bid to satisfy their demand, they are either contracting to have coal and nuclear put into the grid or to have renewable energy (in this case mostly wind) put into the grid to support the energy demand of Oak Park. The fact that it's going in someplace else doesn't change the fact that in terms of total contributions to the grid, the wind-based amount is what the Village will pay for.

Mr. Shuttenberg said that an average monthly Com Ed bill is about \$100 for those not living in condos, of which approximately \$60 is for supply. The projected average monthly savings through June of next year is \$15.50 and approximately \$200 over the life of the two-year contract. The total savings across the community will be approximately \$4.5 - \$4.6 million.

The opt-out procedure was explained, as well as options for creation of an energy efficiency fund.

Jeff Riley, 625 Carpenter Ave. Mr. Riley served as a member of the citizen advisory committee for this project and spoke in favor of approving the vendor, going with the 100% RECs and considering the renewable energy fund.

Dean Nickel from Integrys spoke about his firm.

Trustee Hedges asked why, in the bidding process, the low bidder was selected and

then given an opportunity to reduce the bid. Mr. Shuttenberg explained that they asked for "indicative" pricing to get an approximate price with the understanding that the selected finalist will go to market and lock in a rate the following day. The rate presented is good for about 24 hours. The final rate will not be higher than the rate quoted and possibly lower.

Trustee Salzman raised the subject of the energy efficiency fund. Mr. Shuttenberg stated that offering this was part of the aggregation bid and that a fund could be established from the additional savings from the final rate (if any). Trustee Salzman stated that this proposal has been characterized as a tax. Mr. Barwin noted that it's the difference between residents saving 24.2% or 23.7% on their bill. Ms. Poulos also noted that it would be a one-time fee and future contracts would not include this.

Trustee Johnson asked if this fund could advance the use of smart meters even though it is the utility's responsibility to manage them. Mr. Shuttenberg stated that this fund could be used for purchasing an in-home reader that gives residents real-time information inside their homes. The only portion that Com Ed is responsible for is turning on the radio that speaks from the meter to the technology device in the home.

Trustee Brewer noted that creating the fund could be dependent upon the final rate being lower than today's rate. The savings generated by that difference would then support this energy efficiency fund. He asked if there would still be a fund if the new rate was the same as the current one. Mr. Shuttenberg said the fund would only be established if the final rate is lower.

Trustee Tucker spoke against this program, stating that it is not well defined and that this fund would use money that would otherwise be in the pockets of residents.

Trustee Hedges asked what risks are involved in the aggregation process. Mr. Shuttenberg stated that residents may opt out at any time. President Pope added that there is protection built into the agreement; residents in the aggregation plan will never be in a situation where they are paying more than the Com Ed rate.

Trustee Hedges stated that regardless of whether or not this energy efficiency fund is established through the aggregation, the Village could consider creating one through the use of the utility taxes currently collected from residents.

The proposal to establish a Renewable Energy Advisory Committee was discussed. Mr. Barwin explained that this would be an ad hoc committee to advise staff and guide this program.

President Pope summarized that it is not the majority of opinion of the Board to move forward with funding a Municipal Energy fund through the \$400,000 allocation from the proceeds of the aggregation factored into the rates. He added that this doesn't mean there wouldn't be support once the corresponding activities associated with that, as well as a funding source, are more clearly defined. He also stated that the Board would like more definition on the creation of the Renewable Energy Advisory ad hoc committee. For that reason, President Pope stated that the second part of the motion, "Appoint Advisors for the Renewable Energy Committee" would be removed.

The motion was withdrawn.

I. Discussion & Update on IMPACT Recommendations

Mr. Barwin explained that IMPACT is a group of citizens that meet to review and discuss issues such as underage drinking, tobacco use and marijuana use in Oak Park and River Forest. They have suggested that ordinances regarding these issues be similar in Oak Park and River Forest, and that both villages adopt a similar strategy to deal with these issues. He added that the Law Department and Police Department have been working with the IMPACT group on these issues.

Trustees Lueck and Johnson agreed that it made sense to structure the ordinances similarly across both communities.

Trustee Brewer agreed but advised that a provision be added to notify a parent or guardian regarding any incidents. He said that the proposed ordinance language currently reads "no responsibility" but notice is different than assigning responsibility. He suggested that the social host ordinance should differentiate between an unruly party that involves drinking and drug use and one that does not, as well as the penalty for someone present who is using alcohol or drugs and someone who is not.

President Pope noted that the River Forest ordinance has an exception regarding giving alcohol to minors, which is in a parent-child-home setting. He asked that this be added to the Oak Park ordinance.

- H.** It was moved and seconded that a Resolution 2011-R-166 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGGREGATION PROGRAM AGREEMENT BETWEEN INTEGRYS ENERGY SERVICES, INC. AND THE VILLAGE OF OAK PARK** be adopted.

President Pope read the revised resolution aloud.

Trustee Lueck expressed concern that the Board had not seen the contract prior to this meeting and asked Village Attorney Simone Boutet if was she comfortable with the terms of the agreement. Ms. Boutet stated that she had personally negotiated this contract; she added, though, that the rate does not float with the Com Ed rate should their rate fall as President Pope had suggested earlier. However, Integrys is offering a 30 day termination to allow customers to leave the program should the Com Ed rate become more advantageous to them.

Trustee Johnson asked for more details regarding the early termination fee. Mr. Nickel explained that the fee would not be less than \$20 but no more than \$50 per account.

After a discussion, Trustee Hedges noted that this should be left up to the individual, as \$50 is not the same to someone who has a low utility bill as it is to someone with a high one.

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.

XVI. CONSENT AGENDA

- K.1 Resolution 2011-R-167 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A PROPERTY BROKER AGREEMENT WITH DAVID KING AND ASSOCIATES**
- K.2 Resolution 2011-R-168 entitled **RESOLUTION AUTHORIZING A PROPERTY MANAGEMENT AGREEMENT FOR THE MARKETING, SALE AND MANAGEMENT OF VILLAGE OWNED COMMERCIAL PROPERTY WITH DAVID KING AND ASSOCIATES**

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.

XVII. Approval of Bills

It was moved and seconded to approve a **Motion to Approve the Bills for the Week Beginning October 3rd through October 14th in an amount \$874,929.71.**

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 spoke about the awards jointly presented by the Historic Preservation and Environment and Energy Commissions at Unity Temple. She also noted that Open Door Repertory will be reopening on Ridgeland Avenue after a two year hiatus. She noted that she will be presenting proposals from the Citizen Involvement Commission to the Board regarding selection of advisory board chairpersons and bringing back the liquor ordinance revisions proposed by the Liquor Control Review Board.

Trustee Lueck discussed perception of crime in and outside of Oak Park.

Trustee Hedges clarified that the Village is not considering banning eating while driving.

Trustee Salzman announced that the Board Meeting this Thursday will be focused on discussion of flood issues and urged those affected by the recent flood event to attend.

Trustee Brewer noted that this Wednesday is the first budget meeting and encouraged residents to attend.

Trustee Tucker spoke in favor of the aggregation contract approved this evening, noting it was an exciting direction for Oak Park.

Trustee Johnson was also pleased that the aggregation process has moved forward. He noted that he was looking forward to seeing the chairpersons proposal referred to by Villager Clerk Powell. He also spoke about the film series at the Oak Park Public Library sponsored by Parents and Family and Friends of Gays and Lesbians.

Mr. Barwin thanked the Board for their deliberations and attention to the energy issue this evening, noting it is a huge achievement and hopefully just the first in many important things the Village will pursue regarding energy efficiency and making a positive impact on climate change.

ADJOURN

It was moved and seconded to adjourn to Executive Session to discuss litigation. A voice vote was taken and the motion was approved. The meeting adjourned at 11:43 P.M. Monday, October 17, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk