

**APPROVED MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, OCTOBER 1ST, 2012 AT 6:30 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

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

II. ROLL CALL

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

**III. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION
TO DISCUSS COLLECTIVE BARGAINING AND LITIGATION IN ROOM 130**

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

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Lueck

The motion was approved.

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

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

ABSENT: Trustee Lueck

The Regular Meeting reconvened at 7:36 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 18, 2012 be approved. A voice vote was taken and the minutes were approved as presented.

**VIII. PROCLAMATION – WEST SUBURBAN PADS 20TH ANNIVERSARY
CELEBRATION MONTH - OCTOBER 2012**

President Pope read the proclamation aloud. It was moved and seconded that the proclamation entitled **WEST SUBURBAN PADS 20TH ANNIVERSARY CELEBRATION MONTH - OCTOBER 2012** be adopted. A voice vote was taken and the proclamation was adopted.

Lynda Schueler, Executive Director of West Suburban PADS, spoke about the organization.

**IX. RESOLUTION – HALLOWEEN “TRICK OR TREAT” HOURS
WEDNESDAY, OCTOBER 31, 2012**

President Pope read the resolution aloud. It was moved and seconded that the resolution entitled **HALLOWEEN “TRICK OR TREAT” HOURS WEDNESDAY, OCTOBER 31, 2012** be adopted. A voice vote was taken and the resolution was adopted.

VII. NON-AGENDA PUBLIC COMMENT

Tim McDonald, Vice-President of Service Employees International Union Local 73. Mr. McDonald discussed merit-based pay increases and looked forward to reconvening contract negotiations.

X. VILLAGE MANAGER REPORTS

Interim Village Manager Cara Pavlicek stated that the Village believes having wages tied to job performance is important, as well as being the cornerstone of many successful organizations.

XI. VILLAGE BOARD COMMITTEES

President Pope stated that the Personnel Committee has identified seven individuals as finalists for the Village Manager position.

XII. CITIZEN COMMISSION VACANCIES

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

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

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

Citizen Police Oversight Commission

Reappointment of Ozzie Bruno, as Chair, with a term to expire October 17, 2015

Community Design Commission

Reappointment of Christina Loran, as Member, with a term to expire October 19, 2015
 Reappointment of John Schiess, as Member, with a term to expire October 19, 2015
 Reappointment of Sharon Snook, as Member, with a term to expire October 19, 2015

Housing Authority

Appointment of David Kralik, as Member, with a term to expire October 1, 2017

Madison Street Coalition

Appointment of Melissa Mickelberry, as Member, with a term to expire October 1, 2015

A voice vote was taken and the motion was approved.

XIV. FIRST READING**A. First Reading of an Adoption of State Mandated Regulations Related to Building Construction**

Ms. Pavlicek stated that the primary purpose for adoption of these State mandated codes is to allow local enforcement. Subsequently, local amendments to international codes will be presented later in the month.

Trustee Johnson referred to a prior revision regarding elevator inspections that significantly increased costs for condo buildings and building owners and asked if these would have a similar impact. Director of Building and Property Standards Steve Witt stated that although those items are still required to be completed, the State Fire Marshall's Office has issued an extension period so owners can afford to do this. He added that the Building Department recognizes that some of the items that the Fire Marshall's Office is asking them to enforce are financial burdens. The adoption of these codes allows the Village to locally enforce the provisions within the codes. There would be no change to the standards that building owners are currently held to.

Ms. Pavlicek noted that that a Second Reading of this ordinance, as well as adoption, is scheduled for the next Regular Board Meeting. She added that it would tentatively become effective in January 2013 or later if the Board deems additional time is warranted.

XV. REGULAR AGENDA

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

- B.** It was moved and seconded that Ordinance 2012-0-52 entitled **ORDINANCE APPROVING THE ISSUANCE OF THE 2012 SERIES A CORPORATE PURPOSE PROJECT AND REFUNDING BOND IN THE AMOUNT OF \$9,930,000 AND 2012 SERIES B CORPORATE PURPOSE PROJECT AND REFUNDING BOND IN THE AMOUNT OF \$1,345,000** be adopted.

Chief Financial Officer Craig Lesner introduced Raphaliata McKenzie of Speer Financial, Inc. Ms. McKenzie stated that two bonds were refunded this morning; the 2012 Series A Corporate Purpose Project and Refunding Bond in the Amount of \$9,930,000 at an interest rate of 1.688% and the 2012 Series B Corporate Purpose Project and Refunding Bond in the Amount of \$1,345,000 at an interest rate of 0.8984%. Savings to the Village is \$1.5 million and \$88,000, respectively. She discussed the Village's bond ratings from Standard & Poor's, AA-; and Moody's, Aa2.

There was a discussion regarding the bond ratings and Mr. Lesner answered questions from the Board.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Lueck

The ordinance was adopted.

- C. Ordinances and Resolutions Related to the Sale of the Residential Retail and Townhouse Parcels in the Harlem-Ontario Mixed-Use Development (commonly known as the Whiteco Development)**
- C.1.** It was moved and seconded that Ordinance 2012-0-53 entitled **ORDINANCE AUTHORIZING THE APPROVAL OF THE SALE OF THE RESIDENTIAL, RETAIL AND TOWNHOUSE PARCELS OF THE HARLEM-ONTARIO MIXED USE DEVELOPMENT BY WR XXIV, LLC TO OPP APARTMENTS LLC** be adopted.
- C.2.** It was moved and seconded that Ordinance 2012-0-54 entitled **ORDINANCE AUTHORIZING ACCEPTANCE OF TITLE TO CERTAIN REAL PROPERTY** be adopted.
- C.3.** It was moved and seconded that Resolution 2012-R-211 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A WARRANTY AND REPAIR AGREEMENT** be adopted.
- C.4.** It was moved and seconded Resolution 2012-R-204 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AN OPERATING EASEMENT AGREEMENT ESTOPPEL CERTIFICATE RELATED TO THE HARLEM ONTARIO MIXED USE DEVELOPMENT** be adopted.
- C.5.** It was moved and seconded that Ordinance 2012-0-55 entitled **ORDINANCE AUTHORIZING THE EXECUTION OF A CERTIFICATE OF COMPLETION AND PARTIAL TERMINATION AND RELEASE OF THE AMENDED AND RESTATED REDEVELOPMENT AGREEMENT AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED OPERATING EASEMENT AGREEMENT RELATED TO THE HARLEM-ONTARIO MIXED USE DEVELOPMENT** be adopted.
- C.6.** It was moved and seconded that Ordinance 2012-0-56 entitled **ORDINANCE AUTHORIZING AND APPROVING A CERTIFICATE OF CORRECTION FOR PLAT OF SURVEY AND SUBDIVISION FOR WHITECO SUBDIVISION ON THE EAST SIDE OF HARLEM AVENUE BETWEEN ONTARIO STREET AND LAKE STREET** be adopted.

Ms. Pavlicek announced that staff had met with representatives of Whiteco, LLC in response to the concerns discussed at the last meeting and the majority of these have been addressed.

Trustee Tucker commented that the information provided to the Board states that Trader Joe's current lease runs through 2018 with two successive options for five-year extensions. He asked how the \$100,000 payment to the Village in exchange for the Village's right to approve any future retail tenant was determined and why the date of release is still 2016. Whiteco President Tim Connelly stated his firm felt that amount would be a fair consideration as well as an additional contribution to the amount from Whiteco that was over and above what was required in the agreement with the Village. He also noted that there is no indication of Trader Joe's leaving at the end of their lease. Ms. Pavlicek commented that staff believes that this financial contribution does help compensate the Village for release of those rights to review the grocer tenant, adding that Trader Joe's is expected to produce good revenues through the 2018 time period.

Trustee Tucker said that he had a higher figure in mind. Trustee Johnson agreed, adding that changing the date to 2018 to mitigate some of these concerns was discussed at the last meeting. He did not understand the hesitation regarding extending the date to 2018, as it aligns with the expected payback for the Village's contribution as well as the term of the lease.

Following discussion, there was a 15 minute break to allow staff to confer with representatives from Whiteco.

After the break, Mr. Connelly announced that Whiteco agreed to extend the date of the agreement to December 31, 2018.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Lueck

The ordinances and resolutions were adopted.

D. Status Report on the Lake & Forest Garage Design Presented by Project Management Advisors Inc. (PMA)

Business Services Manager Loretta Daly stated that the Project Team, consisting of Village staff, representatives from the Developer and the Owners Representative (PMA) have been meeting regularly. The architect is currently in the process of reviewing the permit drawings.

Omar Rihani, Project Manager with PMA, presented an overview of the architectural drawings with respect to public parking, including parking counts, layouts and shared parking space locations. He and Sertus Principal Michael Glazier answered questions from the Board regarding bicycle entry and storage, signage and charging stations for electric vehicles.

Trustee Johnson asked for an update of financing arrangements. Mr. Glazier stated they were still finalizing financing. He added that in order to get a firm commitment on financing, they need to have the permit drawings completed and a guaranteed maximum price contract.

Trustee Tucker commented that this has gone beyond the 60-day extension that was granted. Ms. Pavlicek addressed the time frame issues and explained the process going forward.

There was further conversation regarding A.D.A. compliance, compact car parking spaces, budgeting and the use of garage attendants.

C.1-6 It was moved and seconded to reconsider Ordinances and Resolutions Related to the Sale of the Residential Retail and Townhouse Parcels in the Harlem-Ontario Mixed-Use Development (commonly known as the Whiteco Development).

It was moved and seconded to amend the **Certificate of Completion and Partial Termination and Release of the Amended and Restated Redevelopment Agreement** so that Section 5.01-C of the Continued Terms of the Amended and Restated Redevelopment Agreement reflects the change of date from May 31, 2016 to December 31, 2018.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Lueck

The amendment was adopted.

XVI. CONSENT AGENDA

- E. Resolution 2012-R-205 entitled RESOLUTION REQUESTING VILLAGE OF OAK PARK GEOGRAPHIC INFORMATION SYSTEM DATA FROM THE COOK COUNTY ASSESSOR'S OFFICE**
- F. Resolution 2012-R-206 entitled RESOLUTION AUTHORIZING EXECUTION OF A ONE-YEAR CONTRACT WITH A&B LANDSCAPING & TREE SERVICE OF RIVERSIDE, ILLINOIS FOR SIDEWALK SNOW REMOVAL SERVICES IN THE WINTER OF 2012-2013 IN AN AMOUNT NOT TO EXCEED \$15,000.00**
- G. Resolution 2012-R-207 ENTITLED RESOLUTION AUTHORIZING THE EXECUTION OF A ONE-YEAR CONTRACT WITH G.A. PAVING CONSTRUCTION CO., INC. OF BELLWOOD, ILLINOIS FOR SNOW REMOVAL SERVICES IN THE WINTER OF 2012-2013 IN AN AMOUNT NOT TO EXCEED \$50,000.00**
- H. Resolution 2012-R-208 entitled RESOLUTION AUTHORIZING AN INCREASE OF \$20,000.00 TO THE CONTRACT WITH CHRISTY WEBBER & COMPANY OF CHICAGO, ILLINOIS FOR THE 2012 COMMERCIAL DISTRICT PLANTER PROGRAM TO AN AMOUNT NOT TO EXCEED \$73,595.00**

- I. Resolution 2012-R-209 ENTITLED RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH THE CERNIGLIA COMPANY FOR PROJECT 12-1, WATER AND SEWER MAIN IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$1,815,662.15
- K. Resolution 2012-R-210 entitled RESOLUTION AUTHORIZING EXECUTION OF SUBORDINATION OF LIEN: MSA 0910-G
- L. Ordinance 2012-O-57 entitled ORDINANCE AMENDING SECTION 3-2-4 OF THE VILLAGE CODE ENTITLED MANDATORY ALCOHOL AWARENESS TRAINING
- M. Resolution 2012-R-214 entitled RESOLUTION AUTHORIZING A 45-DAY EXTENSION OF A PROFESSIONAL SERVICE CONTRACT FOR AN EMPLOYEE LEASE AGREEMENT WITH GOVTEMPS FOR PERMITS & LAND USE MANAGER
- N. Resolution 2012-R-212 entitled RESOLUTION AUTHORIZING A 45-DAY EXTENSION OF A PROFESSIONAL SERVICES CONTRACT FOR AN EMPLOYEE LEASE AGREEMENT WITH GOVTEMPS FOR INTERIM PARKING MANAGER
- O. Resolution 2012-R-213 entitled RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN THE VILLAGE OF OAK PARK AND THE CHICAGO TRANSIT AUTHORITY FOR CTA DETAIL POLICE OFFICERS
- Q. Ordinance 2012-O-58 entitled ORDINANCE AMENDING CHAPTER 3, ARTICLE 8 OF THE CODE OF THE VILLAGE OF OAK PARK – CANCELLATION OF A PACKAGE LIQUOR CLASS C-2 FOR SUPERVALU CORP., DBA JEWEL FOOD STORE #3288, 438 W. MADISON STREET, OAK PARK, IL 60302 AND CREATION OF A PACKAGE LIQUOR CLASS C-1 LIQUOR LICENSE FOR SUPERVALU CORP., DBA JEWEL FOOD STORE #3288, 438 W. MADISON STREET, OAK PARK, IL 60302
- P. Motion to Approve the Bills in the Amount of \$4,330,607.08 for the Week Beginning September 17th through September 28th

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, Salzman and Tucker; President Pope

NAYS: None

ABSENT: Trustee Lueck

The Consent Agenda was approved.

CALL TO THE BOARD AND CLERK

Village Clerk Powell spoke about voter registration, early voting and the petition filing deadline for next year's local election. She also discussed the continuously changing board and commission vacancy list.

Trustee Salzman congratulated Sustainability Manager K.C. Poulos and former Village Manager Tom Barwin for the recognition that the Village received from the EPA.

Trustee Tucker spoke about the new Mac Specialist store, noting that the owner praised Business Services Manager Loretta Daly for her outstanding support.

Trustee Hedges spoke highly of the new Artemis clinic, adding that it is a nice addition to the medical services available in Oak Park.

Trustee Johnson stated that street work around schools should not be scheduled while school is in session. He also acknowledged the letters from residents posted at Village Hall that recognize various staff members. Trustee Johnson also praised the Farmers Market, noting that this was an outstanding year. In closing, he announced that a teacher at Fenwick High School will be competing on "Jeopardy".

Trustee Brewer announced that on October 5, the Oak Park Regional Housing Center will celebrate its 40th anniversary with a benefit at Unity Temple.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 10:25P.M. Monday, October 1, 2012.

SUBMITTED AND RECORDED IN THE OFFICE OF:

Teresa Powell, Village Clerk

By: MaryAnn Schoenneman
Interim Deputy Village Clerk