

**APPROVED MINUTES - REGULAR BOARD MEETING  
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK  
HELD ON MONDAY, MAY 20<sup>TH</sup>, 2013 AT 6:30 P.M.  
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

**I. CALL TO ORDER**

President Abu-Taleb called the meeting to order at 6:30 P.M.

**II. ROLL CALL**

PRESENT: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker; President Abu-Taleb  
ABSENT: None

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

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

The roll call on the vote was as follows:

AYES: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker; President Abu-Taleb

NAYS: None

ABSENT: None

The motion was approved.

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

PRESENT: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker; President Abu-Taleb  
ABSENT: None

The Regular Meeting reconvened at 7:32 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 April 29, 2013 and the minutes of the Special Meeting of May 6, 2013 be approved. A voice vote was taken and the minutes were approved as presented.

**VII. NON-AGENDA PUBLIC COMMENT**

Gary Johnson, 124 S. East Ave. Mr. Johnson spoke about the negative consequences of over-pruning trees.

Dr. Sujatha Ramakrishna, 515 N. Harlem Ave. Dr. Ramakrishna discussed the potential health risks associated with meat consumption and encouraged the Board to pass a resolution in support of “Meatless Mondays”.

Cheryl Munoz, Co-founder and Executive Director of Sugar Beet Co-op, 805 Hayes. Ms. Munoz spoke about her organization and supported “Meatless Mondays”.

Dr. Paul Schattauer, 323 S. Scoville. Dr. Schattauer spoke in favor of “Meatless Mondays” and discussed research supporting a diet high in fruits and vegetables.

Angelica Haennicke, 829 S. Grove. Ms. Haennicki spoke about the lack of vegetarian meals offered at the high school cafeteria.

Carolyn Browne, 100 Forest Pl., #1508. Ms. Browne asked the Board to consider amending the ordinance regarding duty to supply heat.

**VIII. PRESENTATION-FITZSIMMONS AND JOHNSON AWARDS**

Director of Health Margaret Provost-Fyfe introduced Dr. Kamana Mbekeani, Chair of the Board of Health and Mike Charley, Environmental Health Supervisor.

Dr. Mbekeani presented the 2013 Dr. William Fitzsimons Awards for Excellence in Public Health to the following recipients:

- Ellen Barton
- Janice Enloe
- Vanguard West Suburban Hospital
- Sugar Beet Cooperative
- Tracy A. Vegeler

Mr. Charley presented the 2013 Johnson Restaurant Awards acknowledging sanitation excellence to the following recipients:

- Marion Street Grille
- Aripo’s Venezuelan Arepa House
- King & I
- Cucina Paradiso
- Penny’s Noodle Shop
- Jerusalem Café
- Buzz Café
- Flat Top Grill
- New Rebozo
- Eyrie

**IX. PROCLAMATION – NATIONAL PUBLIC WORKS WEEK  
“BECAUSE OF PUBLIC WORKS” MAY 19-25, 2013**

President Abu-Taleb read the proclamation aloud. It was moved and seconded that the proclamation entitled **NATIONAL PUBLIC WORKS WEEK “BECAUSE OF PUBLIC WORKS” MAY 19-25, 2013** be adopted. A voice vote was taken and the proclamation was adopted.

**X. VILLAGE MANAGER REPORTS**

Village Manager Cara Pavlicek referred to the Meeting Calendars for May, June and July and stated that as part of the request from last week's Protocol Meeting, the Board would have the opportunity to review these during the first meeting of every month.

**XI. VILLAGE BOARD COMMITTEES**

Trustee Johnson stated that there is a tentative meeting of the Intergovernmental Committee on June 1 from 10:30 until noon. One of the objectives for that meeting is for the Village's Chief Financial Officer and the CFOs from the other governing bodies to attend in order to discuss current and future opportunities for cost savings to lessen the overall tax burden. Trustee Johnson asked for the Board's support regarding the attendance of the Village's CFO. There was a discussion regarding why the CFO's perspective would contribute to this meeting as well as possible intergovernmental sharing of services and personnel.

President Abu-Taleb announced that the Personnel Committee of the Board would meet on Tuesday, May 28 at 7:00 P.M.

**XII. CITIZEN COMMISSION VACANCIES**

There were no comments.

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

Charlene Jones-Foster of the Citizen Involvement Commission announced the following recommendations:

**Community Development Citizens Advisor Committee**

Appointment of Sharon Stolz, as Member, with a term to expire May 20, 2016

**Community Relations Commission**

Appointment of Jameel Abdur-Rafia, as Member, with a term to expire May 20, 2016

**Environment & Energy Commission**

Appointment of Caitlin Jeffries, as Student Member, with a term to expire May 20, 2014

**Farmers' Market Commission**

Appointment of Ashley Hopkins-Yanda, as Member, with a term to expire May 20, 2016

**Historic Preservation Commission**

Reappointment of Gary Palese, as Member, with a term to expire May 3, 2016

It was moved and seconded to concur in the appointments by President Abu-Taleb. A voice vote was taken and the motion was approved.

**XIV. REGULAR AGENDA**

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

- A. It was moved and seconded to **Accept the Plan Commission Recommendation and Findings of Fact to Amend Article 2 – Administration and Article 3 – Zoning District Regulations of the Zoning Ordinance Relative to Use Variances, their Standards and Criteria and a Motion to Direct Staff to Prepare Related Ordinance (excluding any Zoning Ordinance changes related to authority of the Village Board to approve such applications).**

Village Planner Craig Failor stated that the Board asked that the Plan Commission and Zoning Board of Appeals meet to discuss these issues; amending the matrix regarding land use within the transit related retail overlay district and perimeter overlay district, review the standards currently in the zoning code and determine whether or not criteria are necessary for the use variances to be submitted with an application and if so, what that criteria should be.

Plan Commission Chair Linda Bolte spoke about public comment from the various business districts. There was general support for the effort to strengthen the overlay districts by recommending restrictive uses that were not supportive of retail and restaurants with certain business categories excluded from the first 50 feet of the first floor.

Zoning Board of Appeals Chair Mike Quinn discussed use variances. The ZBA thought that some of the evidence required with every application would be excessively burdensome for many applicants. Their recommendation is that in the event that any of the required information is not reasonably available, the applicant shall provide to the ZBA a statement of the information that cannot be obtained and a description of the reasons why.

There was an extensive discussion regarding uses recommended for the Transit – Related Retail Overlay District. Trustee Johnson pointed out that uses for this business district should include retail use that would prosper in an environment where people are coming and going, such as casual shopping with lunch, etc., versus swimming pool sales and auction houses. Trustee Brewer stated that clearer direction regarding what the Board would like to see in these districts needs to be provided to staff. Ultimately this will be easier for business owners because they will have a clear delineation of where they can and cannot locate a particular business.

Trustee Lueck was in favor of the matrix but expressed concern regarding the health, athletic, recreation and amusement facilities category and indicated that a bowling alley, for example, would be a huge draw to a business district but not suitable for placement on the second floor and therefore ruled out as an approved use. She would only be in favor of including this with the understanding that something like that would go back to these commissions for further consideration.

Standards for use-related variation requests were discussed. Trustee Johnson agreed with the ZBA’s concern that some of the evidence required was onerous and a business

deterrent. Trustee Tucker indicated that financial hardship may inhibit providing this information. Mr. Quinn stated that the position of the ZBA was to soften the ordinance language by allowing the applicant to provide a statement addressing why they cannot present certain evidence that would otherwise be required.

Trustee Brewer noted that one of the principals behind standards is so all applicants are on the same level. He discussed the importance of making them mandatory and necessary to ensure everyone starts from the same point. Further discussion of standards of evidence ensued.

The roll call on the vote was as follows:

AYES: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker; President Abu-Taleb

NAYS: None

ABSENT: None

The motion was approved.

**A1 It was moved and seconded to Receive Zoning Board of Appeals' Recommendation and Findings of Facts Regarding Use Variance Procedures (related to the authority of the Village to approve such applications) in the Transit-Related Retail Overlay District and the Perimeter Overlay District as Referred by the Board of Trustees on March 18, 2013.**

Village Manager Pavlicek commented that staff is anticipating coming back on June 3 with a recommendation that would take into consideration this information from the ZBA as well as comments made under the last agenda item.

Mr. Quinn stated that the ZBA has no objection to transferring final decision-making regarding use variances in overlay districts to the Board of Trustees. However, they do not recommend transferring the authority to hear applications for use variances in the overlay districts from the ZBA to the Plan Commission. The ZBA is the only board that grants zoning variances and has decades of experience applying these standards.

Trustee Salzman agreed, adding that this should remain with the ZBA because of its judicial status and independence factor, as opposed to the Plan Commission being more of a policy body. He also was not supportive of the Board of Trustees as the final authority, as they are a policy body as well. He suggested that the decision not be made this evening. Trustee Lueck agreed. She noted that the ZBA is the enforcer of the ordinance, with recent difficulties due to poorly drafted ordinances. She also did not want the Board of Trustees tasked with final decision making.

**It was moved and seconded to table Motion to Receive Zoning Board of Appeals' Recommendation and Findings of Facts Regarding Use Variance Procedures (related to the authority of the Village to approve such applications) in the Transit-Related Retail Overlay District and the Perimeter Overlay District as Referred by the Board of Trustees on March 18, 2013.**

The roll call on the vote was as follows:

AYES: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker; President Abu-Taleb

NAYS: None

ABSENT: None

The motion was approved.

- C. It was moved and seconded that Resolution 2013-R-78 entitled **RESOLUTION OF SUPPORT FOR AN OAK PARK TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) DISCRETIONARY GRANT APPLICATION** be adopted.

Village Manager Pavlicek stated that staff had prepared and presented two prior applications for the earlier rounds of TIGER grants for public infrastructure investment near public transit. When submitted last year, the Board asked why they were not asked for direction regarding the application. This resolution would serve as the Board's authorization to apply for the grant. She explained that the grant would require a minimum 20% match by the Village; however, a higher percentage would increase their chance of receiving it, and would be funded through the Capital Budget over the course of the project timeline.

Trustee Johnson noted that the Village's matching funds are potentially part of the capital improvements that would take place in any case and asked staff to provide details. Village Manager Pavlicek spoke about planned infrastructure improvements such as sewer, water, sidewalks, etc., that were in need of replacement or repair in the Greater Downtown Business Districts that would occur over time.

Trustee Lueck asked if the decision to be made would be a commitment to the minimum match or the match to enhance competitiveness. Village Manager Pavlicek replied that this would be an administrative decision. The Engineering Department will give project cost estimates and before a decision is made, staff will look at capital funding based on the adopted 2013 budget as well as what is projected over future years that they believe would be reasonable to bring back to the Board to seek funding for.

Trustee Lueck asked how this would relate to the sustainable communities initiative. Housing and CDBG Manager Tammie Grossman spoke about the report "Homes for a Changing Region", developed with the Chicago Metropolitan Agency for Planning. That report discusses increasing transit options and increasing housing near transit. The TIGER grant application indicates that building on these types of activities that are already occurring, such as the CMAP, West Cook County Housing Collaborative, Sustainable Communities Challenge Grant, etc., should help obtain higher points in the process.

President Abu-Taleb asked how many entities in Illinois received these grant funds last year and in what amount. Assistant Village Manager Rob Cole stated that one municipality, as well as the CTA and IDOT were recipients; the awards were between \$10 and \$18 million.

The roll call on the vote was as follows:

AYES: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker; President Abu-Taleb

NAYS: None

ABSENT: None

The resolution was adopted.

**XV. NON-DISCUSSION REGULAR AGENDA**

President Abu-Taleb asked Trustee Barber to serve as President Pro Tem for consideration of the Non-Discussion Regular Agenda and recused himself.

It was moved and seconded to approve the items under the Non-Discussion Regular Agenda.

- D. Ordinance 2013-O-39 entitled **ORDINANCE AMENDING CHAPTER 3, CHAPTER 8 OF THE VILLAGE CODE TO ISSUE A CLASS B-1 LIQUOR LICENSE TO OMG! BRUNCH AND BOUTIQUE, LLC D/B/A OMG! BRUNCH AND BOUTIQUE**
- E. Ordinance 2013-O-40 entitled **ORDINANCE AMENDING CHAPTER 3, ARTICLE 8 OF THE CODE TO ISSUE A CLASS D-3 LIQUOR LICENSE TO ATE BY EIGHT, INC., D/B/A CAFÉ FRESH**

The roll call on the vote was as follows:

AYES: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker

NAYS: None

ABSENT: None

ABSTAIN: President Abu-Taleb

The Non-Discussion Regular Agenda was approved.

President Abu-Taleb rejoined the meeting.

**XVI. CONSENT AGENDA**

It was moved and seconded to waive the reading of the Consent Agenda. A voice vote was taken and the motion was approved.

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

- F. Resolution 2013-R-79 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A ONE YEAR CONTRACT WITH ADVANCED DISPOSAL COMPANY OF MELROSE PARK, ILLINOIS, FOR VILLAGE WIDE REFUSE/RECYCLING CONTAINER PICK UP SERVICES IN AN AMOUNT NOT TO EXCEED \$130,000.00**
- G. Resolution 2013-R-80 entitled **RESOLUTION AUTHORIZING SUBORDINATION OF LIEN: BPIP-093**
- H. Resolution 2013-R-81 entitled **RESOLUTION AUTHORIZING EXECUTION OF SUBORDINATION OF LIEN: MSA 0920-G**
  - I.1 Resolution 2013-R-82 entitled **RESOLUTION AUTHORIZING A SINGLE FAMILY HOUSING REHABILITATION LOAN AND A LEAD HAZARD REDUCTION GRANT SFR-050**
  - I.2 Resolution 2013-R-83 entitled **RESOLUTION AUTHORIZING A SINGLE FAMILY HOUSING REHABILITATION LOAN AND A LEAD HAZARD REDUCTION GRANT SFR-052**
  - I.3. Resolution 2013-R-84 entitled **RESOLUTION AUTHORIZING A SINGLE FAMILY HOUSING REHABILITATION LOAN AND A LEAD HAZARD REDUCTION GRANT SFR-053**

- J. Resolution 2013-R-85 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A ONE YEAR CONTRACT WITH MIDWAY BUILDING SERVICES OF CHICAGO, ILLINOIS, FOR VILLAGE WIDE LITTER PICK UP SERVICES IN AN AMOUNT NOT TO EXCEED \$48,000.00**
- K. Resolution 2013-R-86 entitled **RESOLUTION AUTHORIZING A LEASE-PURCHASE AGREEMENT WITH FIRST MERIT BANK FOR A FORD F450 AMBULANCE**
- L. Resolution 2013-R-87 entitled **RESOLUTION DECLARING A SURPLUS DISTRIBUTION OF \$330,510.63 IN TAX INCREMENT REVENUES FROM THE SPECIAL TAX ALLOCATION FUND OF THE GREATER MALL TAX REDEVELOPMENT AREA TO TAXING DISTRICTS BASED UPON 2011 TAX RATES**
- M. Resolution 2013-R-88 entitled **RESOLUTION AUTHORIZING REJECTION OF BIDS FOR THE PURCHASE OF FUELS**
- N. Resolution 2013-R-89 entitled **RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ALARM DETECTION SYSTEMS, INC. FOR BURGLAR AND FIRE ALARM SYSTEM MONITORING AND MAINTENANCE FOR VILLAGE OWNED BUILDINGS FOR AN AMOUNT NOT TO EXCEED \$40,000 IN FISCAL YEAR 2013**
- O. Resolution 2013-R-90 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENTS WITH H&H ELECTRICAL COMPANY, LYONS & PINNER ELECTRIC COMPANIES AND MEADE INC. FOR STREET LIGHTING AND TRAFFIC SIGNAL REPAIRS IN AN AMOUNT NOT TO EXCEED \$35,000.00 FOR ALL THREE CONTRACTORS IN FISCAL YEAR 2013**
- P. Resolution 2013-R-91 entitled **RESOLUTION DECLARING A DISTRIBUTION OF \$686,428.23 IN TAX INCREMENT REVENUES FROM THE MADISON STREET TAX INCREMENT FINANCE DISTRICT TO TAXING DISTRICTS FOR THE 2011 TAX YEAR**
- Q. Resolution 2013-R-92 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE COLLABORATION FOR EARLY CHILDHOOD CARE & EDUCATION TO PROVIDE 2013 OPERATING SUPPORT IN THE AMOUNT OF \$30,000**
- R. Resolution 2013-R-93 entitled **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR AN EMPLOYEE LEASE AGREEMENT WITH GOVTEMPS**
- S. **Motion to Approve the Bills**

The roll call on the vote was as follows:

AYES: Trustees Barber, Brewer, Johnson, Lueck, Salzman and Tucker; President Abu-Taleb

NAYS: None

ABSENT: None

The Consent Agenda was approved.



**CALL TO THE BOARD AND CLERK**

Village Clerk Powell congratulated those honored during Celebrating Seniors Week and encouraged residents to participate in the planned activities being held through Thursday, May 23. She also discussed the Frank Lloyd Wright House Walk, which celebrates its 40<sup>th</sup> anniversary next year.

Trustee Salzman spoke in support of Meatless Mondays and suggested this be reviewed by the Board of Health for a future resolution. He also congratulated the Sugar Beet Cooperative as a recipient of the Fitzsimmons award. He added that next month, Chicago Magazine will include a feature on Oak Park and urged all to pick up a copy.

Trustee Tucker also was in favor of Meatless Mondays.

Trustee Johnson also supported Meatless Mondays. He referred to the public comment regarding duty to supply heat and asked Village Manager Pavlicek to respond. He also spoke about the Frank Lloyd Wright Walk and noted that his out of town guests commented on the poor condition of some of the streets in the Village.

Trustee Lueck congratulated Unity Temple on receiving a very significant donation.

Trustee Brewer also congratulated Unity Temple and spoke about the benefactor, the Applewood Foundation. He also discussed his experience at the Food Truck event and the opening of the School of Rock.

Trustee Barber spoke about concerns from residents brought to him during the campaign, such as the tree issue mentioned during public comment, and looked forward to learning more about those issues. In regards to Meatless Mondays, Trustee Barber stated that perhaps those efforts could make an impact at the high school but questioned whether investing staff time regarding this was the best use of Village resources, as there are much bigger priorities within the community. Village Manager Pavlicek clarified that the Board of Health is a citizen commission.

President Abu-Taleb thanked the Board for their patience, as he is still learning. He stated that he would like the tree issue that was discussed looked into. He added that he liked the concept of Meatless Mondays and enjoys having young people address the Board.

**ADJOURN**

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 10:19 P.M. Monday, May 20, 2013.

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

By: MaryAnn Schoenneman  
Interim Deputy Village Clerk

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Teresa Powell, Village Clerk