

**MINUTES OF THE REGULAR MEETING OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, JANUARY 6, 2003 AT 7:30 P.M.
IN THE COUNCIL CHAMBERS OF THE VILLAGE HALL**

OFFICIAL RECORD:

REGULAR
MEETING
1/06/03

PRESENT: Trustees Carpenter, Ebner, Gockel, Hodge-West, Kostopulos and Turner and President Trapani

ABSENT: None

QUORUM: President Trapani convened the meeting at 7:30 p.m. and declared that a quorum was present.

MINUTES:

MINUTES OF
12/16/02
MEETING
APPROVED

It was moved by Trustee Turner, seconded by Trustee Kostopulos, that the Minutes of the special meeting of December 16, 2002 be adopted as amended. The motion was unanimously adopted.

It was moved by Trustee Hodge-West, seconded by Trustee Kostopulos, that the Minutes of the regular meeting of December 2, 2002 be adopted as amended. The motion was unanimously adopted.

MINUTES OF
12/2/02
MEETING
APPROVED

APPOINTMENTS:

APPOINTMENTS

President Trapani noted that there were a number of appointments on the evening's agenda and said that she thought it might be helpful if she explained how individuals are appointed to Boards and Commissions.

Village Clerk Sandra Sokol provides applications to residents who express an interest in being appointed to a Board or Commission. When applications have been completed and returned to the Village Clerk's office, Ms. Sokol, who is the liaison to the Citizen Involvement Commission (CIC), forwards the applications to the CIC for review. A Prospects Meeting is held where members of the CIC meet with the applicants, review applications and indicate where there are vacancies on the various Boards and Commissions. The CIC forwards its recommendations to the Village Board and the Village President and Village Board act on the recommendations of the Citizen Involvement Commission.

It was moved by Trustee Carpenter, seconded by Trustee Ebner, to concur in the following appointments by President Trapani:

Citizen Involvement Commission

Appointment of Rob Sheinkopf, as Member, with a term to expire October 7, 2005.

Farmers Market

Appointment of Beverly Graham, as Member, with a term to expire December 31, 2006.

Historic Preservation Commission

Appointment of Nicholas Kalogeresis, as Member, with a term to expire February 6, 2006.

Police Pension Fund

Appointment of Edward T. Baehrend, as Member, with a term to expire June 6, 2005.

Telecommunications Commission

Appointment of Cory Scott, as Member, with a term to expire January 6, 2005.

Zoning Board of Appeals

Appointment of Robert Schoen, as Member, with a term to expire January 6, 2008.

The motion was unanimously adopted.

Cory Scott and Edward Baehrend were in the audience, and President Trapani thanked them for being willing to serve the community in this capacity.

**PROCLAMATION: DR. MARTIN LUTHER KING, JR. BIRTHDAY –
JANUARY 15, 2003**

It was moved by Trustee Ebner, seconded by Trustee Kostopulos, to concur in the issuance of a Proclamation by President Trapani entitled **PROCLAMATION: DR. MARTIN LUTHER KING, JR. BIRTHDAY – JANUARY 15, 2003**. The motion was unanimously adopted.

PROCLAMA-
TION:
DR. MARTIN
LUTHER KING,
JR. BIRTHDAY –
JANUARY 15,
2003

NON-AGENDA PUBLIC COMMENT:

Daniel Fore, resident of the Oak Park YMCA, stated that residents of the YMCA have been "intimidated, threatened and harassed" because they are disabled and he described specific situations where residents were badly treated. The YMCA Director issued a memo threatening a lockout if the memo was not

NON-AGENDA
PUBLIC
COMMENT

signed and returned to him within a certain timeframe. The residents' attorney advised that the threat of a lockout was a violation of the Forcible Entry Act. Although the elevator certificate indicates that it is a passenger elevator, residents have been informed the elevator is for freight only. Mr. Fore indicated that he was distributing documents that describe the conditions of the residents' areas and said that Oak Park YMCA President Mr. Gallas' quoted statement that "the residents' rooms and bathrooms were completely remodeled" is not true.

Ann Kransdorf, 643 N. Elmwood, expressed her concern about the "impending war in Iraq," stating that it doesn't make sense to her and she thinks it is morally wrong. She said that there's no evidence Iraq intends to attack the United States and no evidence that Iraq was involved in the September 11 attack on the U.S. A war would put young Americans in danger and innocent civilians could be killed. She believes there could be devastating consequences as a result of an attack on Iraq and she thinks people need to present their views.

Liz King, 619 Clarence, encouraged Oak Park residents to take a stand against the war in Iraq and noted that Oak Park, with its Fair Housing Ordinance, the Domestic Partnership Registry, and the handgun ban, has "a proud history of moral leadership in times of strife."

A war will cost a lot of money, which will mean less revenue for the State and for Oak Park. Human lives will be lost. Iraq has not committed acts of aggression against the United States and she stated that millions of people in the world are opposed to the U. S. declaring war against Iraq.

David Hoder, 1100 S. Taylor Avenue, is concerned about the effect the Barrie Park remediation is having on the resale value of his home, saying that he is not able to get a fair market value for his property. He is concerned that the remediation occurring now will affect his property for years and wondered if years from now his property will be known as a remediation site. He is concerned that even when remediation is complete, the effect will linger and that prospective buyers will not be interested in the properties in the area.

Mr. Hoder is also concerned because if he's still asleep at 7:30 a.m., the trucks wake him up and his house shakes. He looks outside and sees a fence. There is a lot of noise. He believes the stress level in his neighborhood is high. The situation has been going on for a long time, and he and his neighbors wonder how much longer it will really take before the remediation is complete. When will they be able to enjoy their properties? Will they be able to get fair market value when they are ready to move? He does not want to move out because he does not want his property to be vacant. Mr. Hoder stated that there are only two families still in their homes on the 1000 block of Taylor.

Barbara Hanzl, 1023 S. Lombard Avenue, stated that she has lived at her address for over 25 years, which is in Area 1. She said that the Village is concerned about issues affecting residential safety and property values, such as broken garage doors and uncut grass. The contamination at Barrie Park, however, concerns even greater health, safety and property value issues. Ms. Hanzl believes

the Village should provide help to the homeowners in her area so that they can get their properties remediated to a safe level as a group. She does not believe a three-foot depth is a safe level of soil decontamination, and she does not think that a "clean park surrounded by contaminated properties" sends a good message about the Village.

Curt Silvers, 1041 S. Lombard Avenue, has lived in Oak Park with his wife for ten years and at their current address since December, 1998. The beautiful park across the street influenced their choice of homes. Their intention was to start a family, improve the house and then move to a larger home in Oak Park. They learned about the toxins in the park the day they moved in. Instead of being able to enjoy their home and celebrate ownership, they've researched coal tar, attended community meetings and worried about their investment. They enjoyed the park for 28 days before it was closed and they've lived with a nightmare for 1460 days. Mr. Silvers believes the Village should do more to help the residents living in the affected area. He thinks that a buyout should be offered and that the cleanup of residential properties should be a priority for the Village.

Mr. Silvers read portions of the Village Code relating to fence locations and heights, prolonged noise, odors and nuisances that annoy and endanger the safety and health of the public or cause the passage of public parks, sidewalks, streets or alleys to be dangerous. He said that the residents of the area are not afforded the protection offered by these laws and he believes the Village should protect its citizens.

Patricia McMillen, 1019 S. Lombard Avenue, said that ComEd tested her property in March 2001 and the yard was found to have excessive levels of contaminants. She is living in temporary housing. She said that counsel is representing her interests, but the attorney is not being paid and she has received an overdue bill for \$5,000. A majority of the area residents do not have legal representation. The residents need professional assistance to analyze data and evaluate alternative strategies. The Village should require ComEd to pay area residents' expenses in dealing with remediation efforts, both currently and in the future. This should include fees for attorneys, environmentalists, structural engineers and real estate experts. Some attorney bills have been paid but some have not. Her own attorney received only a partial payment, with no explanation. Ms. McMillen left a copy of her comments and the comments she addressed to the IEPA during the summer in response to the invitation issued to residents regarding the corrective action plan.

Elaine Mendoza, 1037 S. Scoville, remarked that her comments were similar to those already presented. She said that she would yield her time so that someone else could speak.

Cindy Melin, 1041 S. Lombard Avenue, said she lives across from the former sledding hill at Barrie Park. She said they've lost their park, street, trees, view, property values, neighbors and a sense of security. They are awakened at 6:30 a.m. by trucks warming their engines and backing up. The lack of neighbors and the ten-foot fence with floodlights makes her feel like she's living in a jail. They are

afraid to start a family. They've lost rental income from parking spaces, because they have lost their neighbors, and they feel like the Village does not care about them. Lawyers are not being paid—their own lawyer has not been paid at all. The Village's website needs to be updated as it currently says, "Remediation of the park and adjacent properties will be completed by Fall of 2002." The Barrie Park contamination has created upheaval in the lives of area residents and it doesn't seem to be a priority to the Village. Her house has been on the market—one person has come to look at it; there have been no offers. A buyout should be offered to residents and she stated that "in a Federal case like this, buyouts would be offered for any relocation that supersedes one year." The Village needs to put pressure on ComEd to purchase the houses or find a way that the Village can purchase the houses itself. She does not know if the market value will ever increase on homes that were "deemed contaminated." And she believes a "No Further Remediation (NFR)" letter will frighten future buyers. She wonders if the Equity Assurance Program might help the Barrie Park area residents. Ms. Melin believes that Oak Park's being a home rule community gives them "the power to do the right thing." She asked the Village Board for help.

Marion Biagi, 1017 S. Lombard (relocated to 100 Forest Place), quoted from the Comprehensive Plan of 1990, reading that "The Oak Park Comprehensive Plan is predicated on the community commitment to human values: a sense that the Village exists for its citizens, that the physical manifestation of the community—housing, parks, businesses, streets, etc.—are there to serve its constituents."

Ms. Biagi stated that she has parking problems that would not exist if it were not for the Barrie Park situation. For those people having homes in that area, the quality of life is "abominable." It's depressing to look out the front window. The park and play areas are gone. Yard parties are not a desirable option.

Homeowners in her area have been put in the position of having to deal with the utility company on their own. They feel that most Villagers and Board members don't care about the Barrie Park issue—an issue that negatively affects residents from Roosevelt Road to Garfield and from Ridgeland to Austin. She's asking that the Board be proactive on behalf of the residents of that area, saying that money is set aside for unforeseen circumstances in the Village. She thinks this is a major unforeseen circumstance and asks the Village Board to do the right thing and offer a buyout.

Pete Ferraro, 1033 Lyman, indicated that he lives in designated Area 2. He believes that designating the areas "1," "2" and "3" is not a fair solution and says that it has been divisive to the neighborhood and has not helped the remediation process. He said that he was present to ask that the Village help the residents of the remediation area to live decent lives. He owns a business in the area that has suffered in the last four or five years. He stated that he owns property in the area and that in Area 3 the taxes continue to go up, while in other areas the taxes have been frozen. He thinks this issue needs to be addressed.

Bruce Samuels, 613 S. Lombard, stated that he is a Citizens Alliance candidate for Village Trustee. He asked if any of the Board members have been to

any houses in the Barrie Park area. He noted that Ms. Melin questioned the priorities of the Village. He wonders why the \$1 million that the Village used to buy the Drechsler building couldn't have been used to help some of the people in the Barrie Park remediation area. Mr. Samuels spoke of the Proclamation passed earlier in the evening which states that Martin Luther King Jr. worked to ensure equal treatment for all and noted that when his wife appeared to talk against the proposed parking garage by the High School, she was treated rudely by the Chair of the Parking and Traffic Commission—"shouted down"-- and no Trustee present said anything.

President Trapani indicated that the public comments regarding Barrie Park had been concluded. She asked Village Manager Swenson if there was a staff person who could address some of the issues concerning Barrie Park. She noted that the utilities are behind schedule and expect to finish by 2004.

Mr. Swenson commented that the citizen comments concerning their frustration and the degradation of the quality of life is real. The impact of this long process on the neighborhood "has been awful." The Village's policy decision with regard to cleanup is to support the Park District's desire to remediate in such a way that all of the source material is removed and that means going down very deep. As the work was continuing, air quality standards were in jeopardy of being compromised and the work was stopped. The Village has been aggressive in negotiations to get the project back "on track" and getting the work done. Going as deep as required is a "very serious engineering and environmental challenge." The work on the project should begin again soon. The Village is committed to seeing that the work is completed in a safe way. Mr. Swenson reiterated that the quality of life impacts for residents of the area are very real. He stated that each person who spoke on Barrie Park will be contacted and that the Village will advocate aggressively with the utilities on behalf of the citizens to help them get what they need.

The Village Board has not addressed a buyout of the properties. Mr. Swenson said he would ask Village Attorney Ray Heise if there is anything he can add from a legal perspective at this point. President Trapani noted her understanding that with regard to residential remediation, there needs to be a contractual arrangement between the private residential owners and the utility in order for the utility to enter private property to test, excavate and replace soil. She asked for comment on progress in this area of remediation.

Village Attorney Heise said that the Village was unable to negotiate on behalf of residents with regard to the individual property rights because the Village does not own the property. The Village can assist private residents with regard to the remediation effort. Two sets of agreements are required for each parcel—an access agreement to allow the utilities the right to go on the property, test for contamination and make a determination. The second agreement is a remediation agreement providing for remediation of the property if there is contamination. Mr. Heise agreed with President Trapani who said that the agreements "have to be negotiated and endorsed by both the residents and the utilities." The Village, in its agreement with the utilities, required the utilities to

pay for legal counsel chosen by the individual resident. The Village also negotiated the relocation component of the agreement. The timing of remediating individual properties has changed due to the air quality standard violation, which was a difficult obstacle to overcome. The Sprung structure was removed and there were discoveries of coal tar in areas where they had not been anticipated. The new structure being erected is much larger and is to protect against violation of air quality standards. President Trapani asked if it will protect against migration into the air of contaminated particles. Mr. Heise responded affirmatively.

Attorney Heise stated that the most important thing from the Village's standpoint in negotiating is to make sure that on the residential parkways on Taylor and Lombard, excavation is to a depth at least ten feet below the lowest point of the basement structure in any residential property to determine that there is not coal tar contamination migrating across the property. There has already been a lot of testing in Areas 1 and 2, with remediation to follow. He stated that it is impossible to remediate parks, streets and residential properties at the same time. One portion of the project must be finished before the next portion is started. He said, "Timeframe wise, what's important for us is the perimeter that actually abuts the residential neighborhood. And then we don't have the same time constraints on individual properties." He added that property owners are entitled to have attorneys of their choice representing them, paid for by the utilities. Dennis Walsh of Klein Thorpe, who is the Village's environmental attorney, will contact Commonwealth Edison with regard to unpaid attorney bills.

President Trapani noted that the IEPA does review testing reports. She asked if the IEPA has indicated to the Village that there is any public health hazard up to this point. Trustee Ebner responded, "No." Attorney Heise stated that there was one residential property where borings at depth showed a high elevation of benzene. That has not occurred anywhere else. Trustee Ebner noted that there was a "higher than expected reading of pollution in the air." It was not at a dangerous level but if it had continued at that level, it would have exceeded the standard. Attorney Heise commented that the standard is very conservative.

Trustee Ebner spoke to the issue of residents' concerns and feelings that they cannot negotiate with the utilities themselves and the request that the Village group the residents together and hire an attorney to speak for all of the residents. She noted that it is unlikely that all residents have the same opinion and are "of one voice." She said that the hiring of the best attorney one can find, who knows about remediation issues like this, is an individual responsibility.

President Trapani asked if the Village gives, if asked, a list of environmental attorneys from which residents can choose. Mr. Heise said that has not been done. He said the Chicago Bar Association referral has been made and that the referral process requires a "rigorous standard to qualify as having expertise in a given area."

Trustee Hodge-West asked how many residential properties are in the affected area, "just in the site." She was told that there are Areas 1, 2 and 3 and that each area has a different need. There are about 36 properties in Area 1, which

includes some renters. In Area 2, there are in excess of 65 names on the mailing list. Area 3 is the rest of Oak Park. The areas were created to allow a method of tracking of contamination, with Area 1 including properties contiguous to the park. In Area 1, front and back yards were to be tested from surface to three feet and seven to ten feet. If contamination were found on an Area 1 property, a contiguous property in Area 2 would be tested. Mr. Heise indicated that the utilities agreed that anyone in Area 2 who wished to have their property tested could do so. Nearly all properties in Area 1 have been tested now.

Trustee Hodge-West commented that all members of the Village Board have been to, and have walked the site. She stated that quality of life issues are very real for the people living in the Barrie Park area, and she thinks it is one that needs to be discussed to see if the buyout proposal is feasible or doable "in any real way."

Trustee Turner noted that the Barrie Park problems were discovered during the term of the last Board. That Board was very concerned about issues connected with the remediation efforts and that the level of concern exists with this Board, as well. There have been some delays. The Board was so concerned about the use of large trucks to haul dirt out of the area because of possible damage to the foundations of homes in the area, that they worked to figure out another solution and came up with the use of the railcar to reduce the number of trucks required and then it was discovered during the digging process that the problem was greater than had been realized.

Trustee Kostopulos agreed and noted that the process involves working with dangerous material. He suggested devoting a study session to looking at ways to explore easing the situation for the residents in that area of the community. He compared the fence around the park to the Berlin Wall in Germany. He stated that the issue needs more discussion and suggested, "maybe redevelopment is the thing." President Trapani asked Village Manager Swenson to schedule Barrie Park as a topic for a study session. Trustee Ebner stated that there is a Barrie Park Commission meeting on January 15.

At 8:45 p.m., President Trapani announced that she was leaving and asked Trustee Kostopulos to chair the remainder of the meeting.

President Pro Tem Kostopulos invited Park District Board President Laura Perna to speak. She said that no one imagined the project would go on this long, and she invited the Village Board members to imagine living in the neighborhood, unable to sell their homes. The families have to work with their attorneys to get their properties tested and the attorneys are not getting paid. She wonders if the project and the attendant problems would get more attention if it were located in northeast or northwest Oak Park. She thinks everyone in Oak Park should be concerned because, she said, "Whatever is left in the park or in the street will move" and she suggested that it could move back into sites that have already been remediated. The neighborhood has been very patient, and people need assistance. She stated that this cleanup is precedent setting because "This is the first residential remediation of a manufactured gas plant in the State." She said. "We

have an opportunity to do the right thing." President Pro Tem Kostopulos suggested that perhaps Ms. Perna should be invited to the working session and that she might be able to offer a lot of insight on the subject.

Trustee Gockel commented that while history is instructive and study sessions can be useful, they are not excuses for inaction. There are things the Village might do. The Village has already decided to assist residents in getting the utilities to pay their unpaid attorney bills in connection with Barrie Park. He noted that this is simply asking the utilities to live up to their agreement. Mr. Swenson indicated that staff will work on the issue this week. Trustee Gockel thinks the Village needs to explore how it can assist homeowners with the remediation of private properties. He understands Trustee Ebner's point of view that the homeowners may have different views and that one attorney would not be able to represent multiple homeowners with multiple needs and different viewpoints. He has heard from residents that they're not getting answers from the utilities with regard to when their properties will be remediated and he thinks a clear statement of the utilities' intentions and timetables for remediation of front and back yards would benefit the entire community. Thirdly, he thinks the idea of a buyout should not be readily dismissed. It has been impossible for some homeowners in the area to obtain appraisals. He is "nervous about losing control of the eventual occupancy and disposition of those properties." Trustee Gockel does not think it will be an easy task to determine the value of the properties and to figure out whether public funds can be used to purchase some of the homes, and he suggests that if this process will take a long time, the Board should begin soon to explore the Village's options or the options of some of the Partner Agencies to purchase some of the homes.

Trustee Hodge-West agreed, saying that the thrust of her recommendation is to look at the feasibility of some kind of a buyout. Her intent never was to dismiss the concept and she likes the idea of thinking about how the Partner Agencies might be able to be involved.

Trustee Carpenter stated that when Board members were elected, they took an oath to serve the community and they work hard at serving the entire community because every family and every home is important, regardless of location in the Village. The decisions made by the Board are based on what is good for the Village as a whole. All Board members have visited the site, and they are aware of how long the project has gone on and of the difficulties the Barrie Park neighbors face. She said, "I know that we will be more diligent as you have come to speak with us tonight about the things we can do to help." She stated again that all residents and all homes are important.

President Pro Tem Kostopulos commented that there have been a couple of communities in the United States that have dealt with serious ground contamination. In one of the communities out East, the local government working with other agencies was able to clean the land and give certificates of guarantee to future owners. He said, "It appears that it's working." The community has become popular, the value of properties has increased and there is renewal in the area. He said he'd like to be optimistic and hopes the neighbors will continue to hold on for

"an extra month or so" to see if the Village can come up with some possible solutions. He does not think any problem is unsolvable.

Following a short break, President Pro Tem Kostopoulos declared that a quorum was present and called the meeting to order. He indicated that there were additional people present who wished to speak.

Warren Schmaus, 521 South Highland, indicated that he was representing the east Madison Association. They are requesting that the development at Highland and Madison be put on hold until there can be further input. He said that his group will be holding a public meeting on either the 23rd or the 28th of January.

Mr. Schmaus noted that Village residents voted overwhelmingly for a more open planning and development process; he does not believe the current process is open enough. He believes the Village should have notified area residents about the development because they have concerns regarding safety, health, noise pollution and aesthetics. He learned about the project from a neighbor. The development is to include a 200 car parking garage. Neighbors want to discuss with the Village whether there is a need for such a structure. When the Village is working on projects or issues that affect the residents of a particular area or neighborhood, the Village should let the area residents know. Mr. Schmaus thinks the deadline for the RFP was December 27. The group has not heard how many proposals were submitted or what is happening.

Trustee Gockel suggested that Mr. Schmaus make sure the tenants in the area know about the issues and concerns of his group, as they are a number of tenants in the neighborhood who may have ideas and concerns that might be included in the group's efforts.

Barbara A. Mullarkey, 204 S. Elmwood Avenue, indicated that she is a candidate for Village Trustee in the April election. She said that she was present to talk about the budget and stated that with the Village's \$105,000,000 budget, she hopes some way will be found to support a buyout, if that is what the neighbors want. She had an opportunity recently to look down on Barrie Park from the second floor of a neighboring house. There is an "incredible hole" and she had the opportunity to see what the neighbors face every day. She believes the Village must do something for them. The Comprehensive Plan talks about Equity Assurance and she thinks that is an issue that "should be investigated for these people."

Ms. Mullarkey stated that she has budget questions that were given to the Village Board on November 18. She believes President Trapani said she was to receive answers to her questions. She has not received any answers and she would like a response. Ms. Mullarkey left a copy of her questions. President Pro Tem Kostopoulos asked Village Manager Swenson to have staff follow through on her request. Mr. Swenson indicated he will make sure that there is a response and he said that he will copy the Board.

Christopher McCaffrey-Boss, 210 N. Elmwood Avenue, stated the he wanted to speak about the proposed parking ordinance for the area around Oak Park-River Forest High School. He is a resident of the area and believes the provisions of the ordinance will immediately make parking worse for the residents. On his block there is no parking from 8 to 10 a.m. He said that after 10 a.m., high school students park there. Currently, if he knows that he will need a parking space for a visitor or a babysitter, he leaves his garage early and parks on Erie, leaving his garage space empty for whoever needs it. Under the new plan, he will not be able to do that because Erie will be permit parking for high school staff. North/south streets would be permit parking for residents, with 75% approval of residents—he doesn't "know why and how we are going to get 75 percent of approvals." Additionally, he is concerned that the "no parking 8 to 10 a.m." restriction on Ridgeland will not change. President Pro Tem Kostopulos said that this issue will be on the agenda for the study session on January 13, and he suggested that Mr. McCaffrey-Boss might like to watch the session on television saying, "it's still in the works—it's still developing."

Charlotte Cohen, 605 S. Taylor Avenue, said that she wanted to talk about the parking on Harlem and Ontario. She is concerned about developers putting a building in the parking lot. She doesn't think a parking garage is a good idea and thinks it could be dangerous. She believes people might observe the coming and going of residents in the buildings on Ontario, note when the units are empty and rob them.

Ms. Cohen does not think people should have to pay to park in Downtown lots. It is fine for commuters to pay for parking all day, but shoppers should not have to pay to park. There should be more stores. In years past, the Downtown was wonderful—one could get anything she/he wanted or needed. The Downtown area needs a major store.

President Pro Tem Kostopulos indicated that he wanted to respond to one part of Ms. Cohen's comments. He said that the Village's parking garages have good lighting and sophisticated security systems and are monitored by cameras. They are user friendly and safe.

Bob Trezevant, 201 Linden Avenue, indicated that he was speaking on his own behalf and said that he had some general questions. He attended the two working sessions on the High School parking plan and the neighborhood plan. From his perspective, it appears that the Village Board is receiving data from staff that is not accurate and that involves overstatement of demand and understatement of supply. He is concerned that there has not been much discussion about "a real, actual, consistent uniform plan for on-street parking in the neighborhood." The High School has budgeted for and planned a 140-space lot on its property. The "Scoville Community Parking Alternative," based on the Village's data provided by parking staff, was presented to the Village. It showed that with the parking lot and "proper planning in the neighborhood," there is adequate parking to meet the demands of the High School. He and David Boulanger were told that the parking alternative document would be given to members of the Parking and Traffic Commission before the hearing on December

12. They were never given the document. The meeting was disappointing and frustrating. Four Village Board members were present at the meeting.

Mr. Trezevant said that he lives across from the High School. Significant portions of the neighborhood were not notified about the December 12 meeting, although they were told by Village staff that the "entire 23 block area would be informed." He indicated that he knows the topic is scheduled for the next working session of the Board, and he urged the Village Board not to rush to make a decision. He spoke about the hearing on December 12, saying that the garage was not permitted to be talked about. He is concerned that the proposal has not been discussed in detail with the neighborhood. He thinks the "present proposal is worse than we have now and it's worse than was done in 1998." He asked that additional public hearings be held on the garage issue and on the neighborhood parking plan.

Consent Agenda

CONSENT
AGENDA

Following President Pro Tem Kostopulos' request that Village Manager Swenson introduce the Consent Agenda, Mr. Swenson noted that Items E, G and H-2 were removed from the evening's Agenda. He introduced Item A, saying that this item was anticipated in the 2002 budget and carried over to 2003. It was agreed that Mr. Swenson should read all three parts, with questions to follow.

CONTRACTS
FOR IMPL-
MENTATION OF
HUMAN
RESORCES,
PAYROLL AND
FINANCIAL
INFORMATION
SYSTEM

A. Resolution Authorizing the Approval of Contracts for Implementation of a Human Resources, Payroll and Financial Information System

1. Resolution Authorizing the Approval of a Contract with eVerge Group of Texas, Ltd., for Implementation of a Human Resources, Payroll and Financial Information System

2. Resolution Authorizing the Approval of a Contract for Software License and Services Agreement with PeopleSoft for Human Resources, Payroll and Financial Information System Software

3. Resolution Authorizing the Approval of a Contract with CORE Business Technologies for a Cashiering Application to Interface with the PeopleSoft Financial Information System Software

Trustee Turner noted that his reading of the eVerge agreement indicates the company will work to ensure that proprietary information is protected. He asked how the Village will be protected should the company be acquired by another corporation. What happens to information about the Village and the Village's methods of operation? It was determined that Village Attorney Heise should answer the question upon his return to the meeting.

President Pro Tem Kostopulos had a question about the type of software the Village will be getting and what it is supposed to do. He suggested that if there is a proposal that outlined this information, it should be attached to the contract. Finance Director Peters said that the RFP and proposal are all part of the contract. He indicted that he and Trustee Hodge-West had spoken that day and that he and

Human Resources Director Frank Spataro will develop a schedule of events to coincide with the dollar amounts to be paid out according to the contract. There is an "extremely aggressive implementation schedule." Mr. Peters said the entire program should be completed by the middle of the third quarter this year. President Pro Tem Kostopoulos asked if the motion to adopt could include the condition "that those items be inserted into the agreement." Mr. Swenson responded, "Absolutely." Trustee Gockel asked if the proposal submitted by eVerge is a legally binding document. If there is disagreement between the Village and the vendor in terms of performance, could the Village go back to the proposal they submitted to the Village "as a way of defending ourselves?" Mr. Peters responded that the proposal could be a factor, but that some conditions have changed since the proposal was received. Pricing has changed and some things have been moved into a different phase. The agreement will provide the "core software necessary for us to go with both the HR, payroll and accounting systems." The company gave a proposal for the area of utility billing. That will not be considered until the software covered by the agreement is fully implemented. He stated, "the ultimate control will be the contract."

Village Manager Swenson suggested that Trustee Turner could now address his question to Village Attorney Heise. Trustee Turner said that he noticed in the contract that there were disclaimers and protections in the contract that the Company's attorneys had included for the protection of the company. He wonders how the Village will be protected if eVerge is acquired by a larger firm. What happens to information about the Village and the Village's methods of operation? Attorney Heise said whoever acquires the company is "subject to the same obligations of confidentiality" as eVerge. Responding to another question from Trustee Turner, Mr. Heise stated that there is confidentiality language in the agreement. He said he would find the language and asked if he could call Trustee Turner tomorrow. Trustee Turner agreed that will be fine.

Trustee Hodge-West indicated that she wished to note that the dates on the documents have changed, and Mr. Peters will provide the new dates. Finance Director Peters agreed. She referred to the \$215,000 payout listed on the Payment Schedule, noting that Mr. Peters explained to her that this payment will be made 15 days after the installation of a performance module that is to go into place immediately.

Trustee Hodge-West said that the consulting firm is eVerge, that the proprietary software provider is PeopleSoft and that CORE Business Technologies is responsible for the cashiering application. Three departments will be working with the consultant. She indicated that she suggested to Mr. Peters that because this is an IT issue and that IT will be responsible for troubleshooting the systems after installation, there should be a point person responsible for coordinating all of the activities involved, especially since outside technical support will be provided for only a short time. She believes Information Technology Director Alvin Nepomuceno should be the point person. Village Manager Swenson explained that Mr. Nepomuceno is involved in this project. Trustee Hodge-West said that she understands he will be involved, but she thinks it would be good if the IT department would "spearhead this initiative." Mr. Nepomuceno said he would be

glad to spearhead it, but that it will be a team project.

Trustee Ebner thanked the staff that worked to bring this initiative forward, saying, "This is a great package." Mr. Peters indicated they are all very excited.

Resolution 2003-R-01 entitled **RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH EVERGE OF TEXAS, LTD. FOR IMPLEMENTATION SERVICES OF A HUMAN RESOURCES, PAYROLL AND FINANCIAL INFORMATION SYSTEM** was submitted for adoption.

Resolution 2003-R-02 entitled **RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A SOFTWARE LICENSE AND SERVICES AGREEMENT WITH PEOPLESFT USA, INC FOR SOFTWARE RELATED TO A HUMAN RESOURCES, PAYROLL AND FINANCIAL INFORMATION SYSTEM** was submitted for adoption.

Resolution 2003-R-03 entitled **RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH CORE BUSINESS TECHNOLOGIES FOR A CASHIERING APPLICATION TO INTERFACE WITH THE PEOPLESFT FINANCIAL SYSTEM SOFTWARE** was submitted for adoption.

- B. Resolution Authorizing Execution of Lease Between the Village of Oak Park and the State of Illinois – Department of Transportation for the Usage of Lot 62 East and Lot 62 West, Located at Harrison Street and Elmwood Avenue

LEASE AGREEMENT WITH IDOT FOR USE OF LOT 62

Trustee Carpenter asked about the cost for leasing this lot. Parking Services Manager Adolfo Benages said that the rental fee will be \$3,360 per year, based on a five-year contract. Each permit will be \$72 per quarter, for a total of \$4,032 gross revenue. The net revenue to the Village will be \$672 per year. The \$3,360 is the dollar amount that will go to the State. The Village does have some leases for which a fee is not paid to the property owner. In this case, the Village will pay to lease the space.

Resolution 2003-R-04 entitled **RESOLUTION AUTHORIZING EXECUTION OF PARKING LOT LEASE AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION** was submitted for adoption.

- C. Resolution Authorizing Annual Business License Renewal

BUSINESS LICENSE RENEWALS

1. Resolution Authorizing Annual Renewal of Business License for Bowling Alleys (Oak Park Lanes, 6046 Roosevelt Road)
2. Resolution Authorizing Annual Renewal of Business License for Billiard Hall (Leona's Pizzeria, Inc., 850 Madison Street)
3. Resolution Authorizing Annual Renewal of Business License for Billiard

Hall (Oak Park Billiards, 1019 South Boulevard)

4. Resolution Authorizing Annual Renewal of Business License for American Jewelers and Loan Ltd., 6149 North Avenue

5. Resolution Authorizing Annual Renewal of Business License for Cash America, Inc. of Chicago d/b/a Cash America Pawn of Chicago, 6303 North Avenue

6. Resolution Authorizing Annual Renewal of Business License for Irving Park Jewelry and Coins, 6147 North Avenue

Trustee Hodge-West commented that she thought it was good to receive the report from Chief Tanksley indicating that there are no problems that should prevent the licensing of these businesses.

Resolution 2003-R-05 entitled **RESOLUTION AUTHORIZING ANNUAL RENEWAL OF BUSINESS LICENSE FOR BOWLING ALLEYS** was submitted for adoption.

Resolution 2003-R-06 entitled **RESOLUTION AUTHORIZING ANNUAL RENEWAL OF BUSINESS LICENSE FOR BILLIARD HALL** was submitted for adoption.

Resolution 2003-R-07 entitled **RESOLUTION AUTHORIZING ANNUAL RENEWAL OF BUSINESS LICENSE FOR BILLIARD HALL** was submitted for adoption.

Resolution 2003-R-08 entitled **RESOLUTION AUTHORIZING ANNUAL RENEWAL OF BUSINESS LICENSE FOR PAWNBROKERS** was submitted for adoption.

Resolution 2003-R-09 entitled **RESOLUTION AUTHORIZING ANNUAL RENEWAL OF BUSINESS LICENSE FOR PAWNBROKERS** was submitted for adoption.

Resolution 2003-R-10 entitled **RESOLUTION AUTHORIZING ANNUAL RENEWAL OF BUSINESS LICENSE FOR PAWNBROKERS** was submitted for adoption.

D. Resolutions Authorizing Execution of Agreements for Security Services at Village-Owned Garages and Village-Owned and Leased Parking Lots

AGREEMENTS
FOR SECURITY
SERVICES

1. Resolution Authorizing Execution of an Agreement with All Points Security to Provide Security Services at Village-Owned and Leased Parking Lots

2. Resolution Authorizing Execution of an Agreement with Initial Security to Provide Security Services at the Lake and Forest, Holley Court and Avenue Parking Garages, and Village Hall

Village Manager Swenson commented that the Village has very aggressive security systems in all of the parking structures. Not only are there automated systems and cameras, but police drive through the garages and there are security guards in all of the garages twenty-four hours a day and the cameras are monitored twenty-four hours a day.

Trustee Gockel asked how the security guards are supervised and if Village staff actually goes to the garages to make sure the security firm is doing its job. Village Manager Swenson responded, "Yes, they do." He explained that the security people receive oversight and extensive training by the Village staff assigned to overseeing the parking structures.

Trustee Hodge-West asked how many Village lots there are. Mr. Swenson said that there are over 100 and that he will obtain the exact number for her.

Resolution 2003-R-11 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH ALL POINTS SECURITY TO PROVIDE SECURITY SERVICES AT VILLAGE-OWNED AND LEASED PARKING LOTS** was submitted for approval.

Resolution 2003-R-12 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH INITIAL SECURITY TO PROVIDE SECURITY SERVICES AT THE LAKE AND FOREST, HOLLEY COURT AND AVENUE PARKING GARAGES, AND VILLAGE HALL** was submitted for approval.

F. Resolution Authorizing the Purchase of One (1) 2003 GMC/Chevrolet Mini Refuse Packer Truck from Standard Equipment in Chicago, Illinois

PURCHASE OF
CHEVROLET
MINI REFUSE
PACKER TRUCK

Resolution 2003-R-13 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2003 GMC/CHEVROLET MINI REFUSE PACKER TRUCK FROM STANDARD EQUIPMENT IN CHICAGO, ILLINOIS** was submitted for approval.

Approval of Consent Agenda

APPROVAL OF
CONSENT
AGENDA

It was moved by Trustee Ebner, seconded by Trustee Gockel, to approve the items submitted under the Consent Agenda. True and correct copies of the Resolutions are to be filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Carpenter, Ebner, Gockel, Hodge-West, and Turner and President Pro Tem Kostopulos

NAYS: None

The motion was unanimously adopted.

Regular Agenda

REGULAR
AGENDA

Citizen Advisory Boards and Commissions

Housing Programs Advisory Committee Recommendations

It was decided that Village Manager Swenson should read through all of the Housing Programs Advisory Committee Recommendations, pausing for any questions and responses.

HOUSING
PROGRAMS
ADVISORY
COMMITTEE
RECOMMENDA-
TIONS

H. Resolution Authorizing Execution of MSA Grant and Housing Bond Loan

1. Resolutions Authorizing Execution of MSA-0306-B with Grant and Housing Bond Loan HB-0301

MSA-0306-B
AND HB-0301
APPROVED

I. Resolution Authorizing Security Improvement Grants

SECURITY
IMPROVEMENT
GRANTS
APPROVED

1. Resolution Authorizing a Security Improvement Grant: SIG-161

2. Resolution Authorizing a Security Improvement Grant: SIG-162

3. Resolution Authorizing a Security Improvement Grant: SIG-163

4. Resolution Authorizing a Security Improvement Grant: SIG-164

5. Resolution Authorizing a Security Improvement Grant: SIG-165

J. Resolutions Authorizing Execution of Marketing Services Agreements

MARKETING
SERVICES
AGREEMENTS
APPROVED

1. Resolution Authorizing Execution of Marketing Services Agreement MSA-0301-B

2. Resolution Authorizing Execution of Marketing Services Agreement MSA-0302-A

3. Resolution Authorizing Execution of Marketing Services Agreement MSA-0303-A

4. Resolution Authorizing Execution of Marketing Services Agreement MSA-0304-A

5. Resolution Authorizing Execution of Marketing Services Agreement MSA-0305-A

Trustee Hodge-West thanked Ms. Hill and her staff and Mr. Dieber for responding to her concerns. The turnaround was very quick and she appreciated the response. She asks that the documents that were provided to the Board that evening be used as a template so that there need not be conversations about

needing more information. Village Manager Swenson indicated that he will talk with Ms. Hill about having that information incorporated regularly with the documents forwarded to the Board.

It was moved by Trustee Carpenter, seconded by Trustee Turner, that Resolution 2003-R-14 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0306-B** and Resolution 2003-R-15 entitled **RESOLUTION AUTHORIZING A REHABILITATION LOAN – HB0301**; and

Resolution 2003-R-16 entitled **RESOLUTION AUTHORIZING A SECURITY IMPROVEMENT GRANT – SIG-161**; Resolution 2003-R-17 entitled **RESOLUTION AUTHORIZING A SECURITY IMPROVEMENT GRANT – SIG-162**; Resolution 2003-R-18 entitled **RESOLUTION AUTHORIZING A SECURITY IMPROVEMENT GRANT – SIG-163**; Resolution 2003-R-19 entitled **RESOLUTION AUTHORIZING A SECURITY IMPROVEMENT GRANT – SIG-164**; and Resolution 2003-R-20 entitled **RESOLUTION AUTHORIZING A SECURITY IMPROVEMENT GRANT – SIG-165**; and

Resolution 2003-R-21 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0301-B**; Resolution 2003-R-22 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0302-A**; Resolution 2003-R-23 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0303-A**; Resolution 2003-R-24 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0304-A**; and Resolution 2003-R-25 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0305-A** be adopted, true and correct copies of said Resolutions herewith being ordered filed in the Office of the Village Clerk:

The roll call on the vote was as follows:

AYES: Trustees Carpenter, Ebner, Gockel, Hodge-West, and Turner and President Pro Tem Kostopulos

NAYS: None

The motion was unanimously adopted.

Zoning Board of Appeals Recommendation

- K. Motion to Approve an Application for Special Use Permit Submitted by Voice Stream Wireless for 520 S. Maple

Village Manager Swenson indicated that the actual ordinance is not before the Board this evening. Approval of the Motion will direct staff to prepare the ordinance and bring it back to the Board at a later meeting.

ZONING BOARD OF APPEALS RECOMMENDATION

APPLICATION FOR SPECIAL USE PERMIT FOR VOICE STREAM WIRELESS AT 520 S. MAPLE

APPROVED

It was moved by Trustee Ebner, seconded by Trustee Hodge-West to **APPROVE THE APPLICATION FOR A SPECIAL USE PERMIT SUBMITTED BY VOICESTREAM WIRELESS FOR 520 S. MAPLE AVENUE.**

President Pro Tem Kostopulos called for a voice vote. The motion was unanimously adopted.

Village Manager Reports

VILLAGE
MANAGER
REPORTS

L. Reports

(1) January and February Village Board Calendars

CALENDARS

Village Manager Swenson reminded the Village Board of the meeting on Wednesday, January 8, with the two school boards.

(2) Health Department Awards

HEALTH DE-
PARTMENT
AWARDS

Village Manager Swenson announced that the Health Department received a Star Award from the Illinois Department of Human Services, which was presented to the Teen Pregnancy Prevention Program. The Illinois Department of Public Health presented the Opening the Door Award to Health Department HIV outreach worker Jamey Bell.

Village Clerk Sandra Sokol indicated that President Trapani asked her to read something at the end of the meeting, with the permission of President Pro Tem Kostopulos. He indicated that she should proceed.

UIC PROJECT
2003

The topic was the UIC project. Ms. Sokol stated that the UIC studio is located at 828 S. Oak Park Avenue and that it will reopen on Saturday, January 18. Studio hours are from 11 a.m. to 2 p.m. and the telephone number is (708) 386-6401.

The focus of the project for 2003 will be on traffic, economic development, marketing and parking issues. They will hold several design Charrettes in late Spring and early Summer. Final recommendations will be presented to the Village for review and approval of the plans for the Oak Park Avenue business district and Harrison Street at the end of this semester. A committee of 30 people is being formed to assist in the development of the proposed plans. For more information, people may contact Village Planner Craig Failor at (708) 358-5418 or Amy Quinn of UIC at (312) 413-0048. President Pro Tem Kostopulos asked that the Board be provided with a copy of the document on the UIC Project 2003. Village Manager Swenson indicated that this information will run on Channel 6 and will be posted on the Village's web page. He encouraged citizens to participate in this planning process.

The next regular Village Board meeting will be held on Tuesday, January 21.

A motion was made by Trustee Hodge-West, seconded by Trustee Turner, to adjourn the meeting. The motion was unanimously adopted and the meeting adjourned at 10:10 p.m.

ADJOURNMENT

SUBMITTED AND RECORDED IN
THE OFFICE OF:

By: Kathleen M. Cannon
Deputy Village Clerk